

(First Published in the Clarion on the _____ day of _____, 2020.)

THE CITY OF COLWICH, KANSAS

ORDINANCE NO. 731

AN ORDINANCE REPEALING AND REPLACING CHAPTER XIV ARTICLE 1 REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF COLWICH, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2020, WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLWICH, KANSAS:

Section 1. Chapter XIV Article 1 Section 14-101 of the Colwich City Code is hereby amended to read as follows:

INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Colwich, Kansas, that certain standard traffic ordinances known as the Standard Traffic Ordinance for Kansas Cities, Edition of 2020, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One copy of said Standard Traffic Ordinance shall be or stamped "Official Copy as Adopted by Ordinance No. _____," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at reasonable hours. The police department, municipal judge, and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2. Chapter XIV Article 1 Section 14-102 of the Colwich City Code is hereby amended to read as follows:

SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance 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. 8-2128.

(b) All traffic violations that are included within this ordinance, and are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3. Chapter XIV Article 1 Section 14-103 of the Colwich City Code is hereby amended to read as follows:

PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense in which the municipal judge established a fine in a fine schedule shall not be less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense in which a fine has not been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 4. Chapter XIV Article 1 Section 14-104 of the Colwich City Code is hereby amended to read as follows:

CITATION; AMENDMENTS TO STANDARD TRAFFIC ORDINANCE.

(a) The Standard Traffic Ordinance as incorporated by reference in section 14-101 of this article shall be properly cited by reference to the adopting Ordinance of this Code and the Section numbers as set forth within the Standard Traffic Ordinance.

(b) The Standard Traffic Ordinance incorporated by Section 14-101 of this Code is hereby amended to include the following sections, which shall be properly cited by reference to the adopting Ordinance of this Code and the section numbers as set forth below, such with such section numbers conforming to the section numbering utilized in the Standard Traffic Ordinance.

Section 11a is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 11a. Stop Signs and Yield Signs. Stop signs and yield signs, as enforced pursuant to Section 59 of the Standard Traffic Ordinance, shall be erected pursuant to resolution adopted by the Governing Body of the City of Colwich, Kansas, which specify particular intersections as stop and yield intersections and providing for the erection of stop signs and yield signs.

Section 33 of the Standard Traffic Ordinance is hereby changed to read as follows:

Sec. 33. Maximum Speed Limits.

(a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this section or

established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

- (1) Thirty (30) miles per hour in any residential or business district;
- (2) Twenty (20) miles per hour in any park or adjacent to a park; and
- (3) Fifty-five (55) miles per hour in all other locations.

However, when the State of Kansas, or the Governing Body of Sedgwick County, Kansas, or the City of Colwich, Kansas, determines on the basis of an engineering and traffic investigation that the maximum speed established herein is not consistent with the normal and reasonable movement of traffic on any highway or part of a highway, the State of Kansas, or the governing body of Sedgwick County, Kansas, or the City of Colwich, Kansas, may determine and declare a maximum speed limit on said highway or said part of a highway consistent with said engineering and traffic investigation. Said maximum speed limit shall become effective when posted upon the appropriate highway or part of a highway and no person shall drive a vehicle at a speed in excess of such maximum speed limits.

(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). However, no person shall drive a school bus to or from school or interschool or intraschool functions or activities, at a speed greater than 45 miles per hour on any roadway having a dirt, sand, or gravel surface, and in no event shall a school bus be driven to and from school or interschool or intra school functions or activities at a speed greater than 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection shall apply to buses used for the transportation of students enrolled in community junior colleges or area vocational schools when such buses are transporting students to or from school, or functions or activities.

(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. (K.S.A. 8-1558)

(d) It shall be unlawful for any person to operate a motor vehicle in excess of twenty (20) miles per hour on any street designated a school zone by the Governing Body by this or any other ordinance on Monday through Friday of any week during the following hours: 7:30 a.m. to 9:00 a.m.; 3:00 p.m. to 4:00 p.m.; or when indicated by flashing lights.

Speed Limit on Certain Other Streets

The Governing Body having determined it in the best interest of the health, safety and welfare of the citizens of Colwich, Kansas, that the speed limit permitted under Section 33 of the Standard Traffic Ordinance, and amended herein, is not reasonable under the conditions found to exist upon Colorado Ave. within the corporate limits of the City of Colwich, Kansas, from Colwich Ave. to Chicago Ave. hereby determines and declares that the speed limit on such portion of Colorado Ave. within the corporate limits of the City of Colwich, Kansas is twenty (20) miles per hour. Said speed limit is subordinate to all school zones properly established by ordinance.

The Governing Body having determined it in the best interest of the health, safety and welfare of the citizens of Colwich, Kansas, that the speed limit permitted under Section 33 of the Standard Traffic Ordinance, and amended herein, is not reasonable under the conditions found to exist upon Kansas Ave. within the corporate limits of the City of Colwich, Kansas, from Colorado Ave. to Fifth Street. hereby determines and declares that the speed limit on such portion of Kansas Ave. within the corporate limits of the City of Colwich, Kansas is twenty (20) miles per hour. Said speed limit is subordinate to all school zones properly established by ordinance.

The Governing Body having determined it in the best interest of the health, safety and welfare of the citizens of Colwich, Kansas, that the speed limit permitted under Section 33 of the Standard Traffic Ordinance, and amended herein, is not reasonable under the conditions found to exist upon Wichita Ave. within the corporate limits of the City of Colwich, Kansas, from First Street to Fifth Street hereby determines and declares that the speed limit on such portion of Wichita Ave. within the corporate limits of the City of Colwich, Kansas is twenty (20) miles per hour. Said speed limit is subordinate to all school zones properly established by ordinance.

Section 37 of the Standard Traffic Ordinance is hereby changed to read as follows:

Sec. 37. Racing on Highways/Exhibition of Speed/Power-Braking.

(a) No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, spinning a vehicle to make a doughnut type mark in the roadway or in the parking lot of a commercial business, accelerate so quickly as to cause the vehicle to fishtail, or for the purpose

of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test or exhibition. (K.S.A. 8-1565)

(b) The practice commonly known as “power braking” whereby a combination or brake power and rapid acceleration causes treads of tires to spin in place on any road prior to the forward or rearward acceleration of said vehicle.

(c) Driving or coasting of a vehicle in reverse with a rapid change forward causing either tire tread to spin, leaving rubber marks or tread marks in the roadway.

(d) Acceleration of an engine of a vehicle with a rapid or quick engagement of the drive train of said vehicle causing the tires of said vehicle to leave thread marks and the squealing of tires of said vehicle by reason of the acceleration or any combination thereof.

(e) None of the definitions contained in this section shall apply to any act or acts of individuals attempting to avoid a collision with another vehicle, object, or person.

Section 85.1 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 85.1. Parking of Certain Vehicles in Residential Districts.

(a) Certain Parking Prohibited. It is unlawful, except when necessary to avoid conflict with other traffic, in obedience to traffic regulations or the directions of a traffic control device or a police officer, or when actively engaged in the loading or unloading of merchandise or goods, for any person to park a truck with a manufacturers’ rated capacity of over 18,000 pounds, or a bus, truck tractor, trailer or semi-trailer, as defined in the version of the in the Standard Traffic Ordinance for Kansas Cities adopted by the Governing Body of the City of Colwich, Kansas at the time of occurrence, on any street in a residential district within the corporate limits of the City of Colwich, Kansas for longer than two (2) hours.

(b) Parking of Certain Vehicles on Streets in Residential Areas; Arterial Streets At Night Prohibited. It shall be unlawful for any person to use any residential street in the city for what is commonly known as nighttime parking of any truck (except pickup trucks), tractor, trailer, mobile home, motor home, boat or bus; provided however, this provision shall not apply to streets which are located in commercial or industrial areas and which have not been designated by the city as arterial streets; and if such truck is used for the transportation of livestock or gasoline or other flammable liquid, the same shall not be parked at any time in any

driveway or yard within fifty (50) feet of any dwelling house occupied by any person or family other than the person or family of the person owning or using such truck or commercial vehicle. For the purpose of this section, "nighttime" shall be defined as the period of time from one-half (1/2) hour after sundown until one-half (1/2) hour before sunrise.

(c) Residential District. For purposes of this section, a residential district shall be defined as any territory, area and/or street located within the corporate limits of the City upon which or in there are located structures occupied as residential dwellings or other places of abode and the streets, roadway, alleyways, or other ways used for vehicular traffic within said areas are subject to a speed limit of not greater than thirty (30) miles per hour.

(d) Penalty. Any person, individual partnership, corporation or association who violates any of the provisions of this ordinance shall be found guilty of a non-moving violation and shall be fined in an amount of not less than \$50.00 and not more than \$500.00. Each violation shall constitute a separate offense.

Section 94.1 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 94.1. Designation of School Zones. School zones are hereby established on Marian Street running south from Chicago Ave. (53rd Street) to a point 150 feet south of the south curb line of Breese Avenue and on Breese Avenue running east from the east line of Marian Street to the east line of Sixth Street, and Chicago Ave. (53rd St.) from the middle of the East Side of the Municipal Park west to east side of Seventh Street, all within the corporate city limits of the City of Colwich, Kansas.

Section 96.1 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 96.1. Designation of No Parking Zones. It shall be unlawful for any person to park or leave unattended any motor vehicle of any type or description on the following roadways:

(a) East side of Second Street from the North line of the East West alley, North to Wichita Avenue; and

(b) West side of Second Street from the North line of the East West alley North to Wichita Avenue, except trucks may be parked in these areas for less than 2 hours for purposes of loading or unloading.

(c) Any person convicted of violating the provisions of this section shall be subject to a fine not to exceed \$100.00.

Section 37 of the Standard Traffic Ordinance is hereby changed to read as follows:

Sec. 97. Limited Time Parking Zones.

(a) Whenever any appropriate sign shall be placed and maintained in any block by lawful authority of the City giving notice that the street or highway or City owned parking lot may be used for parking or standing vehicles for a limited time only it shall be unlawful for any person to fail or refuse to comply with such sign. (K.S.A. 8-2002(a)(1))

(b) Whenever any written notice has been attached to a vehicle notifying the owner of the vehicle of the City's intention to pave, repair, or in any manner service the roadway, such vehicle shall be immediately moved and not returned to such location until after the completion date provided by the City.

(c) No vehicle shall be parked on any City street for longer than 48 hours.

(d) Violation of any provision of this section shall be punishable by a fine of \$10.00. Court costs shall not apply to such citation. However, every day of violation is a further offense, and additionally such vehicle may be towed at the owner's expense to allow the City to complete road repair or service.

Section 99.1 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 99.1. Truck Routes Established.

(a) It shall be unlawful for any person, firm or corporation to operate a commercial vehicle with a registered gross vehicle weight in excess of 18,000 pounds, on any street within the corporate limits of the City, other than the designated truck routes listed as follows:

- (1) First Street, a.k.a. North 167th Street West, from the south City limits to the north City limits;
- (2) Chicago Avenue, a.k.a. West 53rd Street North, from the east City limits to the west City limits;
- (3) Wichita Avenue from the east City limits to Fifth Street;

(4) Fifth Street from the south Missouri Pacific right-of-way to Wichita Avenue;

(5) Colorado Avenue, from Chicago Avenue, a.k.a. West 53rd Street North, to Union Avenue;

(6) Union Avenue from the west City limits to First Street, a.k.a. North 167th Street West;

(7) Second Street, from the south Missouri Pacific right-of-way to Colwich Avenue;

(8) Colwich Ave. between First Street, a.k.a. North 167th Street West to Second Street.

(b) Notwithstanding any provision to the contrary, trucks making intra-city deliveries or providing intra-city services shall travel the most direct route between origin and destination using truck routes whenever possible. Trucks may leave truck routes using truck delivery routes following the most direct route to a stop and back to a truck route. Trucks making multiple deliveries shall use truck routes whenever possible to reach their initial destination.

(c) The Chief of Police, or his or her designee, shall post appropriate signs to identify the truck routes established above; however, the absence of such signs shall not act as a defense to a violation of this section.

(d) The City Clerk shall keep and maintain maps describing the routes on which truck traffic is permitted; the maps shall be on file in the office of the City Clerk and shall be available to the public for inspection.

(e) The operation of authorized emergency vehicles is exempt from the requirements of this section.

(f) A commercial vehicle shall include a truck, semi-trailer, tractor trailer, or truck tractor over 18,000 pounds. Whether such vehicle is owned by a commercial company or being operated for commercial purposes shall not have bearing upon the determination of whether such vehicle meets this definition.

(g) Penalty. Any person, individual partnership, corporation or association who violates any of the provisions of this ordinance shall be found guilty of an ordinance traffic violation, and shall be fined in an amount of not less than \$50.00 and not more than \$500.00. Each violation shall constitute a separate offense.

Section 106a is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 106a. Consumption of Alcoholic Liquor or Cereal Malt Beverage While Operating a Motor Vehicle.

(a) No person shall consume any alcoholic liquor or cereal malt beverage while operating any vehicle upon any street or highway. An open container of a substance containing alcoholic liquor or cereal malt beverage within the reach of an individual operating a vehicle and an odor of alcoholic liquor or cereal malt beverage upon such person's breath shall be prima facie evidence that such individual was operating such vehicle while consuming alcoholic liquor.

(b) Violation of this section is punishable by a fine of not less than \$50 or more than \$200.

Section 106b is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 106b. Careless Driving.

(a) No person shall operate or halt any vehicle in such a manner as to indicate a careless or heedless disregard for the rights or safety of others, engage in any activity which interferes with the safe control of his/her vehicle, or in such a manner as to endanger, or be likely to endanger, any person or property. However, this section shall not apply to a vehicle driven by a person upon property owned by him/her.

(b) Every person convicted of Careless Driving shall be punished by a fine of not less than \$100.00 and not more than \$500.00.

Section 1.114.2 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 1.114.2. Operation of Micro Utility Trucks.

(a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate city limits of the city.

(b) No micro utility truck shall be operated on any public highway, street, road or alley unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto. No micro utility truck shall be operated on any interstate highway, federal highway or state highway;

provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway in the City. Further, no such vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a micro utility truck on the public highways, streets, roads and alleys of the city shall be subjected to all of the duties applicable to a driver of a vehicle imposed by law.

(d) No person under the age of 18 years shall operate a micro utility truck upon the public highways, streets, roads and alleys within the corporate limits of the city

(e) Valid Driver's License Required. No person shall operate a micro utility truck 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.

(f) Definition. "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. "Micro utility truck" does not include a work-site utility vehicle.

(g) Penalty. Unless specifically provided herein, a violation of this ordinance 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 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect.

(h) Insurance Required; Penalty.

(1) Every owner of a micro utility truck shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect; and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.

(2) All provisions of the Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect, including penalty provisions, shall be applicable to all owners and operators of micro utility trucks.

(i) Registration and License Fee; Applications; Penalty. Before operating any micro utility truck on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made to the City Clerk 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). Proof of insurance, as required in subsection (h) shall be furnished at the time of application for registration. The annual registration fee for a micro utility truck shall be \$25.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be non-transferable. The City shall be exempt from payment of the registration fee.

Section 1.114.4 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 1.114.3. Operation of Golf Carts.

(a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate city 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 miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that nothing herein shall prohibit golf carts from crossing such roadways.

(b) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) 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.

(d) Valid Driver's License Required; 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.

(e) Definition. "Golf cart" means a motor vehicle that 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 operated at not more than 25 miles per hour and is designed to carry not more than four persons, including a driver.

(f) Penalty. Unless specifically provided herein, 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 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect.

(g) Operation of Golf Carts; Display of Slow-Moving Vehicle Emblem.

(1) No person under the age of 18 years shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city. Further, it shall be illegal to operate a golf cart upon such roadways unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(2) For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(3) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

(h) Insurance Required; Penalty.

(1) Every owner of a golf cart shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect; and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.

(2) All provisions of the Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect, including penalty provisions, shall be applicable to all owners and operators of golf carts.

(i) Registration and License Fee; Application; Penalty. Before operating any golf cart on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made to the City Clerk 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). Proof of insurance, as required in subsection (h) shall be furnished at the time of application for registration. The annual registration fee for a golf cart shall be \$25.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be non-transferable. The City shall be exempt from payment of the registration fee.

Section 1.114.5 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 1.114.4. Work-Site Utility Vehicles.

(a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate city limits of the city.

(b) No work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise. Further, no work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway. However, that nothing herein shall prohibit work-site utility vehicles from crossing such roadways.

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

(d) Valid Driver's License Required; Penalty. No person shall operate a work-site utility 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.

(e) Definition. "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure 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, excluding sport models. "Work-site utility vehicle" does not include a micro utility truck.

(f) Penalty. Unless specifically provided herein, a violation of this ordinance 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 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect.

(g) Operation of Work-Site Utility Vehicles; Display of Slow-Moving Emblem.

(1) No person under the age of 18 years shall operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city. Further, it shall be illegal to operate a work-site utility vehicle unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(2) For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(3) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

(h) Insurance Required; Penalty.

(1) Every owner of a work-site utility vehicle shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect;

and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.

(2) All provisions of the Section 200 of the Standard Traffic Ordinance, and amendments thereto, incorporated by Chapter XIV Article 1 Section 14-101 of the Colwich City Code or such other similar provision as the city may then have in effect, including penalty provisions, shall be applicable to all owners and operators of work-site utility vehicles.

(i) Registration and License; Fee; Application; Penalty. Before operating any work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made to the City Clerk 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). Proof of insurance, as required in subsection (h) shall be furnished at the time of application for registration. The annual registration fee for a work-site utility vehicle shall be \$25.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be non-transferable. The City shall be exempt from payment of the registration fee.

Section 1.114.5 is hereby added to the Standard Traffic Ordinance and shall read as follows:

Sec. 192.1. Notification of the Division of Motor Vehicles of Change in Address.

(a) Whenever any person, after applying for or receiving a driver's license, shall move from the address named in such application or in the license issued to such person, or when the name of the licensee is changed by marriage or otherwise, such person, within ten (10) days thereafter shall notify the Division of Motor Vehicles in writing of such changes and obtain a valid driver's license displaying such information.

(b) Failure to obtain an updated driver's license as required by this section is punishable by a fine of \$75.00. However, providing evidence to the court of subsequent compliance within ten (10) days of receiving such citation shall be grounds for dismissal of charges.

Section 5. REPEAL. All previous ordinances incorporating by reference a previous edition of the Standard Traffic Ordinance for Kansas Cities, with certain provisions being omitted, deleted, modified, or changed, into Chapter XIV Article 1 of the Colwich City Code, are hereby repealed and replaced by this ordinance.

Section 6. This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 18th day of August, 2020

Approved by the Mayor this 18th day of August, 2020.

MAYOR, ANGELA BANZ

ATTEST:

CITY CLERK, STEPHANIE GUY

SEAL