

CHAPTER XIV: TRAFFIC

Article

- 1. STANDARD TRAFFIC ORDINANCE**
- 2. LOCAL TRAFFIC REGULATIONS**
- 3. OPERATION OF UTILITY VEHICLES, GOLF CARTS
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ARTICLE 1: STANDARD TRAFFIC ORDINANCE

Section

- 14-101 Incorporating standard traffic ordinance
- 14-102 Traffic infractions and traffic offenses
- 14-103 Penalty for scheduled fines

§ 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 WaKeeney, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition 2021, 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. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 1457, 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/Administrator to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient. (Ord. 1457, passed 9-7-2021)

§ 14-102 TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribed or requires the same behavior as 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 ordinance, and which are not ordinance traffic infractions, as defined in division (a) of this section, shall be considered traffic offenses. (Ord. 1457, passed 9-7-2021)

§ 14-103 PENALTY FOR SCHEDULED FINES.

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The fine for violation of an ordinance traffic infraction or any other traffic offenses for which the Municipal Judge established a fine in a fine schedule shall not be less than \$0 nor more than \$2,500.00. 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 \$2,500.00, but said fine for subsequent convictions for the same offense may be increased with Section 201 of the Standard Traffic Ordinance.
(Ord. 1457, passed 9-7-2021)

ARTICLE 2: LOCAL TRAFFIC REGULATIONS

Section

- 14-201 Traffic control devices and markings
- 14-202 Careless driving
- 14-203 Bicycle traffic
- 14-204 Parking; self-propelled vehicles only
- 14-205 Private parking areas; trespass
- 14-206 Residential parking and standing limitations
- 14-207 Commercial parking and standing limitation
- 14-208 Exceptions
- 14-209 Truck parking
- 14-210 Out-of-Town Van Fund

§ 14-201 TRAFFIC CONTROL DEVICES AND MARKINGS.

(a) The Standard Traffic Ordinance as adopted is hereby modified by adding thereto the following.

(b) The governing body may, by resolution, establish and fix the location of such traffic control devices as may be deemed necessary to guide and warn traffic under the provisions of this chapter, other traffic ordinances and the state laws.

(c) The city shall place and maintain such traffic control signs, signals and devices when and as may be required by the authority of the governing body to make effective the provisions of this chapter and other ordinances for the regulation of traffic.

(d) Any official traffic control device placed pursuant to this section shall be marked and labeled on a map of the City of WaKeeney for the purpose of displaying all such traffic control devices and shall be filed with the City Clerk/Administrator to be open to inspection and available to the public at all reasonable hours of business.

§ 14-202 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 right or the safety of others, or in such a manner as to endanger or be likely to endanger, any person or property.

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(b) Every person convicted of a violation of this section shall be punished for first conviction thereof by a fine of not more than \$100.00 or by imprisonment for not more than ten days for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$200.00 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within one year, such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six months or by both such fine and imprisonment.
(Ord. 1204, passed - -)

§ 14-203 BICYCLE TRAFFIC.

(a) No person shall ride a bicycle upon a sidewalk within that area designated as the downtown section.

(b) The Chief of Police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, and when such signs are in place, it shall be unlawful for any person to disobey the same.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian, and shall give audible signal before overtaking and passing such pedestrian.

(d) No person riding a bicycle on a sidewalk shall exceed a speed of five mph.
(Ord. 1209, passed - -)

§ 14-204 PARKING; SELF-PROPELLED VEHICLES ONLY.

Parking of any vehicle other than one that is self-propelled is prohibited from parking on the public streets and alley ways within the city limits.
(Ord. 1227, passed - -)

§ 14-205 PRIVATE PARKING AREAS; TRESPASS.

(a) (1) It shall be unlawful for any person or motor vehicle to trespass in a private parking area adjacent to or near a business establishment or organization offering goods or services of any nature to the public after a specified time selected by the owner or operator of the business or organization, providing the private parking area has been suitably marked, as a No Trespassing area.

(2) For purposes of this section, a suitable marker shall be one that contains the words No Trespassing After (a specified time) or words to similar impact.

(b) Permission by the owner or operator of the private parking areas shall be a defense to this section.
(Ord. 1241, passed - -)

Local Traffic Regulations

§ 14-206 RESIDENTIAL PARKING AND STANDING LIMITATIONS.

It shall be unlawful for any person to park or to allow to stand any truck, truck trailer and semi-trailer having a tag rated capacity of over 16M on any street or alley adjacent to or abutting any property zoned as residential for a period of longer than two hours.

(Ord. 1261, passed - -)

§ 14-207 COMMERCIAL PARKING AND STANDING LIMITATION.

It shall be unlawful for any person to park or to allow to stand any truck, truck trailer and semi-trailer having a tag rated capacity of over 16M on any street or alley adjacent to or abutting any property zoned as commercial for a period of time longer than 24 hours.

(Ord. 1261, passed - -)

§ 14-208 EXCEPTIONS.

The provisions of §§ 14-207 and 14-208 shall not be applicable to those vehicles engaged in repairing, maintaining or constructing streets, utility services, conducting refuse collection or other city vehicles.

(Ord. 1261, passed - -)

§ 14-209 TRUCK PARKING.

It shall be unlawful for any person or persons to park, cause to be parked or permit to remain parked on any street within the city, any truck whose gross weight, including load if any, exceeds 15,000 pounds; any semi-trailer, or any trailer of any kind whose gross weight, with load if any, weights 15,000 pounds, any other vehicle of any kind whose gross weight exceeds 15,000 pounds; provided, that any such vehicle may be parked for such time as may be necessary to load or unload merchandise, freight or cargo; provided further, that truck tractors which are detached from semi-trailers or trailers shall be excluded from the provisions of this section.

§ 14-210 OUT-OF-TOWN VAN FUND.

(a) By virtue of its Home Rule powers granted by Article 12 of the Kansas Constitution, the city does hereby establish a General Transportation Out-of-Town Van Fund, which will be used to receipt and expense funds for the purpose of the out-of-town bus, as described in the Memorandum of Understanding dated August 3, 2021.

(B) The governing body shall utilize current and future revenues and donations of the out-of-town bus as needed to meet its present and future needs. Should the governing body determine that the money in this fund is no longer needed for which it was established, the governing body may transfer such amounts not needed to the funds or accounts from which the money was first received.

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(C) Such fund shall provide for the annual needs to be financed from the fund during the following year; and that beginning in 2021, the City Administrator shall annually submit, at the same time as a part of the annual operating budget of the city, such proposed revenues and expenses as may be necessary to finance this fund.

(D) The moneys in this fund shall be invested in accordance with the provisions of K.S.A. 12-1675 and amendments thereto with all interest credited to this fund.
(Ord. 1459, passed 11-2-2-2021)

ARTICLE 3: OPERATION OF UTILITY VEHICLES, GOLF CARTS AND THE LIKE

Section

- 14-301 Operation of work-site utility vehicles
- 14-302 Same; valid driver's license required; penalty
- 14-303 Same; definition
- 14-304 Same; penalty
- 14-305 Same; display of slow-moving vehicle emblem or flag
- 14-306 Same; insurance required; penalty
- 14-307 Same; registration and license; fee; application; inspection; penalty
- 14-308 Operation of micro utility trucks
- 14-309 Same; valid driver's license required; penalty
- 14-310 Same; definition
- 14-311 Same; penalty
- 14-312 Same; insurance required; penalty
- 14-313 Same; registration and license; fee; application; inspection; penalty
- 14-314 Operation of all-terrain vehicles
- 14-315 Same; valid driver's license required; penalty
- 14-316 Same; definition
- 14-317 Same; insurance required; penalty
- 14-318 Same; registration and license; fee; application; inspection; penalty
- 14-319 Same; roadways lane for traffic
- 14-320 Same; clinging to other vehicles prohibited
- 14-321 Same; operation of all-terrain vehicles; equipment required for operators and riders
- 14-322 Same; penalties
- 14-323 Operation of golf carts
- 14-324 Same; valid driver's license required; penalty
- 14-325 Same; definition
- 14-326 Same; penalty
- 14-327 Same; display of slow-moving vehicle emblem
- 14-328 Same; insurance required; penalty
- 14-329 Same; registration and license; fee; application; inspection; penalty
- 14-330 Same; operation of low-speed vehicles; motorized skateboards; and other non-registered vehicles
- 14-331 Same; valid driver's license required; penalty
- 14-332 Same; definition

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- 14-333 Same; penalty
- 14-334 Same; display of slow-moving vehicle emblem
- 14-335 Same; insurance required; penalty
- 14-336 Same; registration and license; fee; application; inspection; penalty

§ 14-301 OPERATION OF WORK-SITE UTILITY VEHICLES.

(a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate 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. No work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this division (b) shall not prohibit a work-site utility vehicle from crossing a federal or state highway or a street or highway.

(c) Every person operating a work-site utility vehicle 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. (Ord. 1432, passed 11-19-2013)

§ 14-302 SAME; 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 and be 18 years of age or older. Violation of this section is punishable by a fine of not more than \$1,000.00 or by imprisonment for not more than six months or by both such fine and imprisonment. (Ord. 1432, passed 11-19-2013)

§ 14-303 SAME; 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. **WORK-SITE UTILITY VEHICLE** does not include a micro utility truck. (Ord. 1432, passed 11-19-2013)

§ 14-304 SAME; PENALTY.

Impoundment of Motor Vehicles

Unless specifically provided for 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 § 201, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.
(Ord. 1432, passed 11-19-2013)

§ 14-305 SAME; DISPLAY OF SLOW-MOVING VEHICLE EMBLEM OR FLAG.

(a) It shall be illegal to operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle.

(b) 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.

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

(d) In place of a slow moving vehicle sign, a flag, bright in color (red or orange), may be placed on the rear of the vehicle. The flag must be mounted at a height of four feet above the ground and be visible from the rear of the vehicle. Flags must be approved by the Chief of Police.
(Ord. 1432, passed 11-19-2013)

§ 14-306 SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of a work-site utility vehicle shall provide liability coverage in accordance with § 200 of the Standard Traffic Ordinance, and amendments thereto, and the state's Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(b) All provisions of § 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of work-site utility vehicles.
(Ord. 1432, passed 11-19-2013)

§ 14-307 SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; 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 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 § 14-306 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

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fee shall be required regardless of the time of year that the application is made. The license issued hereunder is not transferable.

(Ord. 1432, passed 11-19-2013)

§ 14-308 OPERATION OF MICRO UTILITY TRUCKS.

(a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate 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 K.S.A. Chapter 8, Article 17, 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 division (b) shall not prohibit a micro utility truck from crossing a federal or state highway.

(c) Every person operating a micro utility truck 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) No micro utility truck shall be operated on any public highway, street, road or alley between sunset and sunrise.

(e) It shall be illegal to operate a micro utility truck on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle or have an approved flag.

(f) 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.

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

(h) In place of a slow moving vehicle sign, a flag, bright in color (red or orange), may be placed on the rear of the vehicle. The flag must be mounted at a height of four (4) feet above the ground and be visible from the rear of the vehicle. Flags must be approved by the Chief of Police.

(Ord. 1432, passed 11-19-2013)

§ 14-309 SAME; VALID DRIVER'S LICENSE REQUIRED; PENALTY.

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 and be eighteen (18) years of age or older. 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.

(Ord. 1432, passed 11-19-2013)

Impoundment of Motor Vehicles

§ 14-310 SAME; 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 mph as originally manufactured and is manufactured with a metal cab. **MICRO UTILITY TRUCK** does not include a work-site utility vehicle. (Ord. 1432, passed 11-19-2013)

§ 14-311 SAME; PENALTY.

Unless specifically provided for 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 § 201, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. (Ord. 1432, passed 11-19-2013)

§ 14-312 SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of a micro utility truck shall provide liability coverage in accordance with § 200 of the Standard Traffic Ordinance, and amendments thereto, and the state's Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(b) All provisions of § 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of micro utility trucks. (Ord. 1432, passed 11-19-2013)

§ 14-313 SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.

(a) 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 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 § 14-313 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.

(b) The license issued hereunder is not transferable. (Ord. 1432, passed 11-19-2013)

WaKeeney - Traffic**§ 14-314 OPERATION OF ALL-TERRAIN VEHICLES.**

(a) All-terrain vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no all terrain vehicle shall be operated on any interstate highway, federal highway or state highway. The provisions of this division (a) shall not prohibit an all-terrain vehicle from crossing a federal or state highway or a street or highway.

(b) No all-terrain vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless equipped with head lights, tail lights, brake lights, and turn signals.

(c) Every person operating an all-terrain vehicle 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) A person operating an all-terrain vehicle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on an all-terrain vehicle, unless such all-terrain vehicle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the all-terrain vehicle at the rear or side of the operator.

(e) A person shall ride upon an all-terrain vehicle only while sitting astride the seat, facing forward, with one leg on each side of the all-terrain vehicle.

(f) No person shall operate an all-terrain vehicle while carrying any package, bundle, or other article which prevents such person from keeping both hands on the handlebars.

(g) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the all-terrain vehicle or the view of the operator.

(h) It shall be illegal to operate an all-terrain vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle or has an approved flag.

(i) 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.

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

(k) In place of a slow moving vehicle sign, a flag, bright in color (red or orange), may be placed on the rear of the vehicle. The flag must be mounted at a height of four (4) feet above the ground and be visible from the rear of the vehicle. Flags must be approved by the Chief of Police.

(Ord. 1432, passed 11-19-2013)

Impoundment of Motor Vehicles

§ 14-315 SAME; VALID DRIVER'S LICENSE REQUIRED; PENALTY.

No person shall operate an all-terrain 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 and be 18 years of age or older. 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.

(Ord. 1432, passed 11-19-2013)

§ 14-316 SAME; DEFINITION.

ALL-TERRAIN VEHICLE means any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more non-highway tires, and having a seat to be straddled by the operator. As used in this subsection, *NON-HIGHWAY TIRE* means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.

(Ord. 1432, passed 11-19-2013)

§ 14-317 SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of an all-terrain vehicle shall provide liability coverage in accordance with § 200 of the Standard Traffic Ordinance, and amendments thereto, and the state's Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(b) All provisions of § 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of all-terrain vehicles.

(Ord. 1432, passed 11-19-2013)

§ 14-318 SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.

Before operating any all-terrain 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 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). Proof of insurance, as required in § 14-317 shall be furnished at the time of application for registration. The annual registration fee for an all-terrain 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 registration of an all-terrain vehicles shall be non-transferable.

(Ord. 1432, passed 11-19-2013)

WaKeeney - Traffic**§ 14-319 SAME; ROADWAYS LANE FOR TRAFFIC.**

(a) All all-terrain vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any all-terrain vehicle of the full use of a lane. This division (a) shall not apply to all-terrain vehicles operated two abreast in a single lane.

(b) The operator of an all-terrain vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(c) No person shall operate an all-terrain vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

(d) All-terrain vehicles shall not be operated more than two abreast in a single lane.

(e) Divisions (b) and (c) above shall not apply to police officers in the performance of their official duties.

(Ord. 1432, passed 11-19-2013)

§ 14-320 SAME; CLINGING TO OTHER VEHICLES PROHIBITED.

No person riding upon an all-terrain vehicle shall attach himself, herself or the all-terrain vehicle to any other vehicle on a roadway.

(Ord. 1432, passed 11-19-2013)

§ 14-321 SAME; OPERATION OF ALL-TERRAIN VEHICLES; EQUIPMENT REQUIRED FOR OPERATORS AND RIDERS.

(a) No person under the age of 18 years shall operate or ride upon an all-terrain vehicle unless wearing a helmet which complies with minimum guidelines established by the national highway traffic safety administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(b) No person shall operate an all-terrain vehicle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the all-terrain vehicle is equipped with a windscreen which has a minimum height of ten inches measured from the center of the handlebars.

(Ord. 1432, passed 11-19-2013)

§ 14-322 SAME; PENALTIES.

Impoundment of Motor Vehicles

Unless specifically provided herein, a violation of any provision in §§ 14-314 through 14-321 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, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. (Ord. 1432, passed 11-19-2013)

§ 14-323 OPERATION OF GOLF CARTS.

(a) Golf carts may be operated upon the public highways, 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 division (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway.

(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. (Ord. 1432, passed 11-19-2013)

§ 14-324 SAME; 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 and be 18 years of age or older. 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. (Ord. 1432, passed 11-19-2013)

§ 14-325 SAME; 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 mph and is designed to carry not more than four persons, including the driver. (Ord. 1432, passed 11-19-2013)

§ 14-326 SAME; 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 § 201, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. (Ord. 1432, passed 11-19-2013)

WaKeeney - Traffic**§ 14-327 SAME; DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.**

(a) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle or displays an approved flag.

(b) 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.

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

(d) In place of a slow moving vehicle sign, a flag, bright in color (red or orange), may be placed on the rear of the vehicle. The flag must be mounted at a height of four feet above the ground and be visible from the rear of the vehicle. Flags must be approved by the Chief of Police.

(Ord. 1432, passed 11-19-2013)

§ 14-328 SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of a golf cart shall provide liability coverage in accordance with § 200 of the Standard Traffic Ordinance, and amendments thereto, and the state's Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(b) All provisions of § 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of golf carts.

(Ord. 1432, passed 11-19-2013)

§ 14-329 SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; 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 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). Proof of insurance, as required in § 14-328 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. Registration of golf cart shall be non-transferable.

(Ord. 1432, passed 11-19-2013)

Impoundment of Motor Vehicles

§ 14-330 SAME; OPERATION OF LOW-SPEED VEHICLES; MOTORIZED SKATEBOARDS; AND OTHER NON-REGISTERED VEHICLES.

(a) Low-speed vehicles, motorized skateboards and other non-registered vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that none may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 mph. None shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this division (a) shall not prohibit the crossing of a federal or state highway or a street or highway.

(b) No low-speed vehicles, motorized skateboards and other non-registered vehicles shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a low-speed vehicles, motorized skateboards and other non-registered vehicles 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.

(Ord. 1432, passed 11-19-2013)

§ 14-331 SAME; VALID DRIVER'S LICENSE REQUIRED; PENALTY.

No person shall operate a low-speed vehicles, motorized skateboards and other non-registered vehicles on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license and be 18 years of age or older. Violation of this section is punishable by a fine of not more than \$1,000.00 or by imprisonment for not more than six months or by both such fine and imprisonment.

(Ord. 1432, passed 11-19-2013)

§ 14-332 SAME; DEFINITION.

Low-speed vehicles, motorized skateboards and other non-registered vehicles means any motor vehicle that has not been defined in this ordinance and subject to the approval and definition of the Chief of Police.

(Ord. 1432, passed 11-19-2013)

§ 14-333 SAME; 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 § 201, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

(Ord. 1432, passed 11-19-2013)

WaKeeney - Traffic**§ 14-334 SAME; DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.**

(a) It shall be illegal to operate a low-speed vehicles, motorized skateboards and other non-registered vehicles on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle or an approved flag.

(b) 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.

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

(d) In place of a slow moving vehicle sign, a flag, bright in color (red or orange), may be placed on the rear of the vehicle. The flag must be mounted at a height of four feet above the ground and be visible from the rear of the vehicle. Flags must be approved by the Chief of Police.

(Ord. 1432, passed 11-19-2013)

§ 14-335 SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of a low-speed vehicles, motorized skateboards and other non-registered vehicles shall provide liability coverage in accordance with § 200 of the Standard Traffic Ordinance, and amendments thereto, and the state's Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., and amendments thereto.

(b) All provisions of § 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators.

(Ord. 1432, passed 11-19-2013)

§ 14-336 SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.

Before operating any low-speed vehicles, motorized skateboards and other non-registered vehicles 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 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). Proof of insurance, as required in § 14-335 shall be furnished at the time of application for registration. The annual registration fee 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. Registration is non-transferable.

(Ord. 1432, passed 11-19-2013)

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

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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.