

## CHAPTER XV. TRAFFIC

### ARTICLE 1. STANDARD TRAFFIC ORDINANCE

### ARTICLE 2. LOCAL TRAFFIC REGULATIONS

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#### ARTICLE 1. INCORPORATING STANDARD TRAFFIC ORDINANCE

- 15-101 INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Washington, Kansas, that certain standard traffic ordinance known as the *Standard Traffic Ordinance for Kansas Cities*, Edition of 2018, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One copy of said *Standard Traffic Ordinance* shall be marked or stamped “Official Copy as Adopted by Ordinance No. 798” 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 all 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.
- (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 revision that is classified as a traffic infraction in K.S.A. 8-2118.
- (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. (*Ord. 798, 11/6/2018*)
- 15-102 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS. (*Ord. 737, March 1, 2010*). When signs are erected giving notice thereof, no person shall at any time park a vehicle on city streets as follows:
- (1) College Street from “D” Street to “E” Street, both sides of the street.
  - (2) College Street from “E” Street to “F” Street, north side of the street.
  - (3) 200 Block of East First Street from bottom of hill to Pierce Street, both sides of the street.
  - (4) Pierce Street, from US 36 to College Street, both sides of the street.
  - (5) “A” Street from 2nd Street to 3rd Street, both sides of the street.
  - (6) “D” Street from 2nd Street to 3rd Street, west side of the street.
  - (7) “D” Street from 3rd Street to 4th Street, east side of the street.
  - (8) “D” Street from 7th Street to Ball Park Road, east side of the Street.
  - (9) “E” Street from College Street to Jefferson Street, east side of the street.
  - (10) “E” Street from 2nd Street to 3rd Street, east side of the street.
  - (11) “E” Street from 3rd Street to 4th Street, west side of the street.

- (12) "F" Street from 2nd Street to 4th Street, both sides of the street.
- (13) "F" Street from 4th Street to 5th Street, east side of the street.
- (14) "F" Street from 5th Street to 6th Street, west side of the street.
- (15) 100 Block of East 4th Street, from "C" Street to the alley, south side of the street.
- (16) 100 Block of West 4th Street, from "C" Street to the alley, south side of the street.
- (17) Park Road across from the City garages, east side of the street.
- (18) East Sixth Street from the corner of B Street and Sixth Street east 200 feet, north side of the street. (Ord. 758 – June 4, 2012)
- (19) East Second Street beginning sixty (60) feet east of the intersection of "A" Street going west two hundred (200) feet along the north side.
- (20) East Second Street beginning at the intersection of "A" Street going west one hundred (100) feet along the south side.

#### 15-103 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. Supp. 8-2118.
- (b) All traffic violation which are included within this Ordinance, and which is not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses. (Ord. 643 Sec. 2)

15-104 PENALTY FOR SCHEDULED FINES. 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 five dollars (\$5.00) nor more than fifty dollars (\$50.00), except for speeding which shall not be less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00). 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 five hundred dollars (\$500.00). (Ord. 643 Sec. 2)

## ARTICLE 2. LOCAL TRAFFIC REGULATIONS

(ORDINANCE 761, SEPT. 4, 2012; ORD. 796, APR. 2, 2018)

15-201 SPEED LIMITS ON CERTAIN STREETS. The governing body, having determined that the speed limit permitted under state law and the Standard Traffic Ordinance is greater than is reasonable or safe under conditions found to exist upon the streets hereinafter referred to, hereby determines and declares that a speed limit upon the following streets to be as follows:

- (a) The speed limit on C Street between College Street and Fifth Street shall be 20 m.p.h.
- (b) The speed limit on D Street and E Street south of Seventh Street shall be 20 m.p.h.
- (c) The speed limit on all roads and streets in the city park shall be 20 m.p.h.
- (d) The speed limit on College Street from B Street to F Street shall be 20 m.p.h.
- (e) The speed limit on D Street from College Street north to the city limits shall be 20 m.p.h.
- (f) The speed limit on E Street from College Street north to the city limits shall be 20 m.p.h. (Ord. 675 Sec. 2)

15-202 BICYCLES ON SIDEWALK. No person shall ride or drive a bicycle on any of the sidewalks within the fire district of the city, except to cross the sidewalks at the intersections thereof with streets, avenues or alleys.

15-203 STOP SIGNS. When stop signs are erected and maintained giving notice thereof, drivers of vehicles shall stop at such marked intersections before entering any streets. The following intersections are specifically designated as requiring that all vehicles stop completely before entering any such street:

- (a) Coming from the south on C street at the intersection of College and C Street;
- (b) Coming from the north and the south on D Street at the intersection of College Street and D Street;
- (c) Coming from the north and the south on E Street at the intersection of College Street and E Street;
- (d) Coming from the east and west on College Street at the intersection of B Street and College Street;
- (e) Coming from the east and west on College Street at the intersection of C Street and College Street;
- (f) Coming from the east and west on College Street at the intersection of D Street and College Street;
- (g) Coming from the east and west on College Street at the intersection of E Street and College Street;
- (h) Coming from the west on Washington Street at the intersection of Washington Street and E Street;
- (i) Coming from the west on Jefferson Street at the intersection of Jefferson Street and E Street;
- (j) Coming from the east and west on 1<sup>st</sup> Street at the intersection of 1<sup>st</sup> Street and B Street;
- (k) Coming from the east and west on 1<sup>st</sup> Street at the intersection of 1<sup>st</sup> Street and C Street;
- (l) Coming from the east and west on 2<sup>nd</sup> Street at the intersection of 2<sup>nd</sup> Street and B Street;
- (m) Coming from the east and west on 2<sup>nd</sup> Street at the intersection of 2<sup>nd</sup> Street and C Street;

- (n) Coming from the west on 3<sup>rd</sup> Street at the intersection of 3<sup>rd</sup> Street and Pierce Street;
- (o) Coming from the east and west on 3<sup>rd</sup> Street at the intersection of 3<sup>rd</sup> Street and B Street;
- (p) Coming from the east and west on 3<sup>rd</sup> Street at the intersection of 3<sup>rd</sup> Street and C Street;
- (q) Coming from the east and west on 4<sup>th</sup> Street at the intersection of 4<sup>th</sup> Street and B Street;
- (r) Coming from the east and west on 4<sup>th</sup> Street at the intersection of 4<sup>th</sup> Street and C Street;
- (s) Coming from the east on 4<sup>th</sup> Street at the intersection of 4<sup>th</sup> Street and F Street;
- (t) Coming from the east and west on 5<sup>th</sup> Street at the intersection of 5<sup>th</sup> Street and B Street;
- (u) Coming from the east and west on 5<sup>th</sup> Street at the intersection of 5<sup>th</sup> Street and C Street;
- (v) Coming from the east and west on 5<sup>th</sup> Street at the intersection of 5<sup>th</sup> Street and D Street;
- (w) Coming from the east on 5<sup>th</sup> Street at the intersection of 5<sup>th</sup> Street and F Street;
- (x) Coming from the west on 6<sup>th</sup> Street at the intersection of 6<sup>th</sup> Street and Pierce Street;
- (y) Coming from the east and west on 6<sup>th</sup> Street at the intersection of 6<sup>th</sup> Street and B Street;
- (z) Coming from the east and west on 6<sup>th</sup> Street at the intersection of 6<sup>th</sup> Street and C Street;
- (aa) Coming from the east and west on 6<sup>th</sup> Street at the intersection of 6<sup>th</sup> Street and D Street;
- (bb) Coming from the north on Pierce Street at the intersection of Pierce and 7<sup>th</sup> Street;
- (cc) Coming from the north on A Street at the intersection of A Street and 7<sup>th</sup> Street;
- (dd) Coming from the north on B Street at the intersection of B Street and 7<sup>th</sup> Street;
- (ee) Coming from the north and south on C Street at the intersection of C Street and 7<sup>th</sup> Street;
- (ff) Coming from the north and south on D Street at the intersection of D Street and 7<sup>th</sup> Street;
- (gg) Coming from the north and south on E Street at the intersection of E Street and 7<sup>th</sup> Street;
- (hh) Coming from the north on F Street at the intersection of F Street and 7<sup>th</sup> Street;
- (ii) Coming from the north and south on C Street at the intersection of C Street and 3<sup>rd</sup> Street;
- (jj) Coming from the north and south on D Street at the intersection of D Street and 3<sup>rd</sup> Street;
- (kk) Coming from the north and south on F Street at the intersection of F Street and 3<sup>rd</sup> Street;
- (ll) Coming from the north and south on F Street at the intersection of F Street and 2<sup>nd</sup> Street;
- (mm) Coming from the south on Grove Street at the intersection of Grove Street and 7<sup>th</sup> Street;

YIELD SIGNS. When yield signs are erected and maintained giving notice thereof, drivers of vehicles shall yield or stop at such marked intersections before

entering any streets. The following intersections are specifically designated as requiring that all vehicles yield or stop before entering any such street:

- (a) Coming from the east on College Street at the intersection of F Street and College Street;
- (b) Coming from the east on Washington Street at the intersection of Washington Street and F Street;
- (c) Coming from the east and west on 1<sup>st</sup> Street at the intersection of 1<sup>st</sup> Street and D Street;
- (d) Coming from the east and west on 4<sup>th</sup> Street at the intersection of 4<sup>th</sup> Street and D Street;
- (e) Coming from the east and west on 8<sup>th</sup> Street at the intersection of 8<sup>th</sup> Street and C Street;
- (f) Coming from the east on 8<sup>th</sup> Street at the intersection of 8<sup>th</sup> Street and D Street;
- (g) Coming from the east and west on 9<sup>th</sup> Street at the intersection of 9<sup>th</sup> Street and C Street;
- (h) Coming from the east on Airport Road at the intersection of Airport Road and Pierce Street;
- (i) Coming from the south on Ballard Street at the intersection of Ballard Street and 2<sup>nd</sup> Street;
- (j) Coming from the east on Colonial Acre Drive at the intersection of Colonial Acre Drive and F Street;
- (k) Coming from the north and south on D Street at the intersection of D Street and 2<sup>nd</sup> Street;
- (l) Coming from the north and south on E Street at the intersection of E Street and 5<sup>th</sup> Street;
- (m) Coming from the north and south on E Street at the intersection of E Street and 4<sup>th</sup> Street;
- (n) Coming from the north and south on E Street at the intersection of E Street and 3<sup>rd</sup> Street;
- (o) Coming from the north and south on E Street at the intersection of E Street and 2<sup>nd</sup> Street;
- (p) Coming from the north and south on E Street at the intersection of E Street and 1<sup>st</sup> Street;
- (q) Coming from the east on Railroad Street at the intersection of Railroad and D Street.

15-204 PARKING PROHIBITED. It shall be unlawful to park a truck with a registered gross weight over 50,000 pounds, or a bus, truck tractor, road tractor, farm tractor, or semi trailer, regardless of weight upon the city streets within the City of Washington, Kansas, except that parking of such vehicles will be permitted when it is necessary while such vehicle is engaged in servicing a residence or commercial establishment located upon the street where such vehicle is parked; and except that said vehicles shall be allowed to park within an area south of U.S. Highway 36 and west of D Street in the City of Washington, Kansas. (Ord. 646 Sec. 1)

15-205 PENALTY. Anyone violating any of the provisions of this article for which a penalty is not otherwise provided shall, upon conviction thereof, be subject to imprisonment not to exceed thirty (30) days, or a fine not exceeding one hundred dollars (\$100.00).

15-206 Section 1. ALL TERRAIN VEHICLES. Said ordinance is established for the purpose of clearly defining the conditions, limitations and exceptions regarding the use of All-Terrain Vehicles on City Streets within the Corporate Limits of the City of Washington, Kansas.

Section 2. DEFINITIONS. As used herein, the following terms shall be defined as follows:

a. All-Terrain Vehicle. Any motorized non-highway vehicle 45 inches or less in width, having a dry weight of 650 pounds or less, traveling on three or more low-pressure tires, and having a seat to be straddled by the operator. As used in this subsection, "low pressure tire" means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 12 inches or less, and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

b. Motor Vehicle. Every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

c. Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Section 3. RULES AND REGULATIONS.

(a) It is unlawful for any person to operate an All-terrain vehicle on any interstate highway, federal highway or state highway.

(b) No All-terrain vehicle shall be operated on any street in this City between sunrise and sunset unless a fully operating headlight is on at all times. No All-terrain vehicle shall be operated on any street in this City between sunset and sunrise.

(c) 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.

(d) No person, except those expressly exempted, shall drive or operate any All-Terrain vehicle upon any street in this city unless such person has a valid driver's license. Any person under the age of sixteen (16) that does not

have a driver's license, solely due to the fact that they are not eligible for the same as a result of their age may operate an All-Terrain vehicle so long as such operation is with their parent or legal guardian. The parent or guardian must either be a passenger on the same All-Terrain vehicle or within 15 feet of All-Terrain vehicle driven by the non-licensed operator.

- (e) No person shall authorize or knowingly permit a motor vehicle owned by him or her or under such person's control to be driven upon any street in this City by any person who has no legal right to do so, or who does not have a valid driver's license.
- (f) No person shall cause or knowingly permit his child or ward under the age of 18 years to drive a motor vehicle upon any street when such minor person is not authorized under the laws of Kansas to drive a vehicle.
- (g) Every owner of a motor vehicle shall provide motor vehicle liability insurance coverage in accordance with the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101 et seq., for every motor vehicle owned by such person, unless such motor vehicle is included under an approved self-insurance plan as provided in K.S.A. Supp. 40-3104 (f) or is otherwise expressly exempted under the laws of this state.
- (h) No all-terrain vehicle shall be operated on any street in this City absent an orange identification flag that is located at least four feet off the ground and such flag is at least ten inches from top to bottom and 12 inches in length.

Section 4. EXCLUSIONS. Go-carts, riding lawnmowers, and any other motorized apparatus other than those defined herein remain expressly prohibited from use on city streets.

Section 5. REGISTRATION AND LICENSE; FEE; APPLICATION;  
PENALTY:

- (a) Before operating any all-terrain vehicle on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the all-terrain vehicle. The license fee shall be twenty dollars (\$20.00) per calendar year, payable in advance to the city clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made.
- (b) Application for registration of an all-terrain vehicle shall be made by the owner, or owner's agent, in the office of the city clerk. 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 Section 3(g), shall be furnished at the time of application for registration.
- (c) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(d) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(e) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of ten dollars (\$10.00), shall issue a new license in accordance with the provisions of this section.

(f) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any all-terrain vehicle, as defined herein, which is not registered and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.

(2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100.00 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.

(3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any all-terrain vehicle. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.

(5) Carry or display a registered number plate or plates or registration decal upon any all-terrain vehicle not lawfully issued for such vehicle.

(6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$500.00; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$1000.00.

Section 6. VIOLATIONS. Anyone violating any of the provisions stated above shall be subject to penalties as stated in 15-205 of the Washington City code



and/or the Standard Traffic Ordinance section that may be applicable to such specific violation.

15-207 OPERATION OF WORK-SITE UTILITY VEHICLES; PENALTY. (Ord. 729, Jan. 5, 2009)

- (a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.
- (b) "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.
- (c) No work-site utility vehicle shall be operated on any public highway, 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.
- (d) 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.
- (e) 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, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

15-208 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. 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.

15-209 REGISTRATION AND LICENSE; FEE; INSURANCE; APPLICATION; PENALTY:

(a) Before operating any work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the work-site utility vehicle. The license fee shall be twenty dollars (\$20.00) per calendar year, payable in advance to the city clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a work-site utility vehicle shall be made by the owner, or owner's agent, in the office of the city clerk. 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). Every owner of a work-site utility vehicle shall provide liability coverage in accordance with Section 200 of the 2011 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto, and said proof shall be required upon registration.

(c) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(d) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(e) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of ten dollars (\$10.00), shall issue a new license in accordance with the provisions of this section.

(f) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any work-site utility vehicle, as defined herein, which is not registered and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.

(2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100.00 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.

(3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any work-site utility vehicle. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.

(5) Carry or display a registered number plate or plates or registration decal upon any work-site utility vehicle not lawfully issued for such vehicle.

(6) Operate a work-site utility vehicle on any street in this City absent an orange identification flag that is located at least four feet off the ground and such flag is at least ten inches from top to bottom and 12 inches in length. (Ord. 781, 9-2-2014)

(7) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$500.00; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$1000.00.

#### 15-210 OPERATION OF MICRO UTILITY TRUCKS; PENALTY.

- (a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.
- (b) "Micro Utility Trucks" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 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.
- (c) No micro utility truck shall be operated on any public highway, 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.
- (d) 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.
- (e) 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, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

15-211 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. 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.

#### 15-212 REGISTRATION AND LICENSE; FEE; INSURANCE; APPLICATION; PENALTY:

- (a) Before operating any micro utility truck on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the

vehicle shall be registered with the city and a license shall be obtained and placed on the micro utility truck. The license fee shall be twenty dollars (\$20.00) per calendar year, payable in advance to the city clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a micro utility truck shall be made by the owner, or owner's agent, in the office of the city clerk. 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). Every owner of a micro utility truck shall provide liability coverage in accordance with Section 200 of the 2011 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto, and said proof shall be required upon registration.

(c) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(d) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(e) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of ten dollars (\$10.00), shall issue a new license in accordance with the provisions of this section.

(f) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any micro utility truck, as defined herein, which is not registered and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.

(2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100.00 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.

(3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any work-site utility vehicle. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.

(5) Carry or display a registered number plate or plates or registration decal upon any work-site utility vehicle not lawfully issued for such vehicle.

(6) Operate a micro utility truck on any street in this City absent an orange identification flag that is located at least four feet off the ground and such flag is at least ten inches from top to bottom and 12 inches in length. (Ord. 781, 9-2-2014)

(7) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$500.00; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$1000.00.

15-213 REPEALER. Section 114.2 of the 2008 Standard Traffic Ordinance as adopted by the City in Ordinance No. 728, is hereby repealed.

15-214 GOLF CARTS.

Section 1. DEFINITION.

“Golf Cart” shall mean 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 the driver.

“Golf Cart Dealer” shall mean every person actively engaged in the business of buying, selling, or exchanging new or used golf carts, as defined above, and who has an established place of business within the corporate limits of the City of Washington, Kansas. (Or. 775)

Section 2. 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 miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection 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 miles per hour.

(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) No person shall operate a golf cart that is carrying more persons than there are allotted passenger seats.

### Section 3. VALID DRIVER'S LICENSE REQUIRED.

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.

### Section 4. DISPLAY OF IDENTIFICATION FLAG.

No golf cart shall be operated on any street in this City absent an orange identification flag that is located at least 2 feet above the roof of the cab of the golf cart and at least 10 inches from top to bottom and is at least 12 inches in length.

### Section 5. INSURANCE REQUIRED.

(a) Every owner of a golf cart shall provide liability coverage in accordance with Section 200 of the 2011 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 2011 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of golf carts.

### Section 6: REGISTRATION AND LICENSE; FEE; APPLICATION; PENALTY:

(a) Before operating any golf cart on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the golf cart. The license fee shall be twenty dollars (\$20.00) per calendar year, payable in advance to the city clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made. Provided, however, that any Golf Cart Dealer shall not be required to obtain a license for every golf cart said dealer owns for the purpose of buying, selling, or exchanging said golf carts, but instead shall pay a registration fee of thirty dollars (\$30.00) per calendar year, and obtain a license that is transferable to each golf cart said dealer owns for the purpose of buying, selling or exchanging. No golf cart owned by a dealer shall be operated on the city streets absent a license affixed thereto.

(b) Application for registration of a golf cart shall be made by the owner, or owner's agent, in the office of the city clerk. 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 Section 5, shall be furnished at the time of application for registration.

(c) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(d) Except in the event of a license issued to a Golf Cart Dealer for the purpose of buying, selling or exchanging new or used golf carts, the license issued hereunder is not transferable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(e) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of ten dollars (\$10.00), shall issue a new license in accordance with the provisions of this section.

(f) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any golf cart, as defined herein, which is not registered and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.

(2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100.00 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.

(3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any golf cart. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.

(5) Carry or display a registered number plate or plates or registration decal upon any golf cart not lawfully issued for such vehicle.

(6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$500.00; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$1000.00.

Section 7. 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, 2011 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 8. REPEALER.

Section 114.4 of the 2011 Standard Traffic Ordinance, as adopted by Ordinance No. 752 is hereby repealed.