

(Published in The Anthony Republican, October 23, 2019)

ORDINANCE NO. G-2847

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ANTHONY, KANSAS; AMENDING SECTIONS 16-101, 16-102, 16-103, AND 16-104, OF CHAPTER XVI - TRAFFIC, ARTICLE 1 - STANDARD TRAFFIC ORDINANCE, OF THE CITY OF ANTHONY CITY CODE, INCORPORATING BY REFERENCE THE 'STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,' EDITION OF 2019; WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS, SECTIONS 16-102 THROUGH 16-104 OF THE ANTHONY CITY CODE, REPEALING SECTIONS 16-105, AND 16-106, OF CHAPTER XVI - TRAFFIC, ARTICLE 1 - STANDARD TRAFFIC ORDINANCE, OF THE CITY OF ANTHONY CITY CODE, AND REPEALING ORDINANCE NO. G-2839.

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

Section 1. City Code Section 16-101, INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Anthony, Kansas, and property under its jurisdiction and control, that certain standard traffic ordinance known as the 'STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,' Edition of 2019, 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 less than three copies of said STANDARD TRAFFIC ORDINANCE shall be marked or stamped 'Official Copy as Adopted by Ordinance No. G-2847, 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 section, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge, and all administrative departments of the City charged with enforcement of this article shall be supplied, at cost of the City, any number of official copies of such standard traffic ordinance, similarly marked, as may be deemed necessary.

Section 2. City Code Section 16-102, AMENDMENTS TO STANDARD TRAFFIC ORDINANCE. Amendments to the Standard Traffic Ordinance incorporated by section 16-101 of this article, shall be as follows:

(a)Section 29a-Careless Driving-shall be added: 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, or in such a manner as to endanger or be likely to endanger any person or property. Every person convicted of a violation of this section shall be punished as provided in Section 201.

(b)Section 51-U Turns, Where Prohibited-shall be amended by the addition of the following paragraph:

It shall be unlawful for the driver of any vehicle to make a U turn at the intersection of Main Street with Kansas Avenue, Bluff Avenue, Jennings Avenue, Anthony Avenue or Springfield Avenue.

(c)Section 85(a)(1)-Stopping, Standing or Parking Prohibited in Specified Places-shall be amended to read as follows:

(1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street or to double park a vehicle in the regulated area of Main Street and the first block adjacent to Main Street of the intersecting avenues of Pennsylvania Avenue, Kansas Avenue, Bluff Avenue, Jennings Avenue, Anthony Avenue or Springfield Avenue.

(d) Section 114.2. shall be amended to read: Operation of Micro-Utility Trucks on City Streets.

(a) Definition: *Micro-Utility Truck* is defined as 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, is manufactured with a metal cab, and does not include work-site utility vehicles or recreational off-highway vehicles.

(b) Micro-utility trucks may be operated within the city limits of the City of Anthony, to include any public street, alley, and public right-of-way, under the following provisions:

1. The driver must have a valid, unrestricted driver's license;
2. Can only be operated on public streets, alleys, and public right-of-ways provided that such truck complies with the equipment and lights regulations required under K.S.A. Chapter 8, Article 17, and amendments thereto;
3. The driver must comply with all traffic rules and regulations;
4. The truck must comply with noise and muffler requirements as set by K.S.A. 8-1739, and amendments thereto;
5. The truck must have valid liability insurance coverage and proof thereof;
6. No micro-utility trucks may be operated upon any public sidewalks or upon any streets, alleys, or public right-of-ways with a posted speed limit in excess of 30 miles per hour; provided, however, that the provisions of this subsection shall not prohibit a micro-utility truck from crossing any streets, alleys, or public right-of-ways with posted speed limits in excess of 30 miles per hour;
7. No micro-utility trucks may be operated upon any federal 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.
8. And, the owner of the micro-utility truck must register it with the Anthony Police Department prior to operating it on any streets, alleys, or public right-of-ways and must be renewed each January 1st thereafter;
 - a. The annual registration fee shall be set by the city commission through a resolution at the beginning of each year;
 - b. The proof of registration decal must be visibly displaced on the rear of the micro-utility truck at all times;
 - c. Proof of liability insurance must be presented and the registration fee paid in full prior to the issuance of the registration decal;

- d. And, the registration of the micro-utility truck is non-transferrable. In the event of a sale or transfer of ownership, the new owner must register the truck in his, her, or its name prior to operating it on any streets, alleys, or public right-of-ways.

(c) Repealed.

(e) Section 114.4. shall be amended to read: Operation of Golf Carts on City Streets.

(a) Definition: *Golf Cart* is defined as 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 and is operated at not more than 25 miles per hour, and is designed to carry not more than four persons including the driver.

(b) Golf carts may be operated within the city limits of the City of Anthony, to include any public street, alley, and public right-of-way, under the following provisions:

1. The driver must have a valid, unrestricted driver's license and be at least 18 years of age;
2. A "slow-moving vehicle emblem" shall be mounted and displaced in compliance with K.S.A. 8-1717, and amendments thereto;
3. Can only be operated on public streets, alleys, and public right-of-ways only during the hours between sunrise and sunset;
4. The driver must comply with all traffic rules and regulations;
5. The golf cart must have at least one functioning rear-view mirror;
6. The golf cart must comply with noise and muffler requirements as set by K.S.A. 8-1739, and amendments thereto;
7. The golf cart must have valid liability insurance coverage and proof thereof;
8. No golf carts may be operated upon any public sidewalks or upon any streets, alleys, or public right-of-ways with a posted speed limit in excess of 30 miles per hour; provided, however, that the provisions of this subsection shall not prohibit golf cart from crossing any streets, alleys, or public right-of-ways with posted speed limits in excess of 30 miles per hour;
9. No golf carts may be operated upon any federal or state highway; provided, however, that the provisions of this subsection shall not prohibit golf cart from crossing a federal or state highway.
10. And, the owner of the golf cart must register it with the Anthony Police Department prior to operating it on any streets, alleys, or public right-of-ways and must be renewed each calendar year thereafter;
 - a. The annual registration fee shall be set by the city commission through a resolution at the beginning of each year;
 - b. The proof of registration decal must be visibly displaced on the rear of the golf cart at all times;
 - c. Proof of liability insurance must be presented and the registration fee paid in full prior to the issuance of the registration decal;
 - d. And, the registration of the golf cart is non-transferrable. In the event of a sale or transfer of ownership, the new owner must register the golf cart in his, her, or its name prior to operating it on any streets, alleys, or public right-of-ways.

(c) Repealed.

(f) Section 114.5. shall be amended to read: Operation of Work-Site Utility Vehicles on City Streets.

(a) Definition: *Work-Site Utility Vehicle* is defined as any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds, and is equipped with four or more non-highway tires, a steering wheel, and bench or bucket-type seating allowing at least two people to sit side-by-side, and maybe equipped with a bed or cargo box for hauling materials and does not include micro-utility trucks or recreational off-highway vehicles. As used in this section, non-highway tires mean any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of 10 pounds per square inch or less, as recommended by the manufacturer.

(b) Work-site utility vehicles may be operated within the city limits of the City of Anthony, to include any public street, alley, and public right-of-way, under the following provisions:

1. The driver must have a valid, unrestricted driver's license, and be at least 18 years of age;
2. Can only be operated on public streets, alleys, and public right-of-ways only during the hours between sunrise and sunset, unless such vehicle is equipped with lights as required for motor vehicles under K.S.A. Chapter 8, Article 17, and amendments thereto;
3. The driver must comply with all traffic rules and regulations;
4. The vehicle must have at least one functioning rear-view mirror;
5. The vehicle must comply with noise and muffler requirements as set by K.S.A. 8-1739, and amendments thereto;
6. The vehicle must have valid liability insurance coverage and proof thereof;
7. No work-site utility vehicle may be operated upon any public sidewalks or upon any streets, alleys, or public right-of-ways with a posted speed limit in excess of 30 miles per hour; provided, however, that the provisions of this subsection shall not prohibit work-site utility vehicle from crossing any streets, alleys, or public right-of-ways with posted speed limits in excess of 30 miles per hour;
8. No work-site utility vehicles may be operated upon any federal or state highway; provided, however, that the provisions of this subsection shall not prohibit work-site utility vehicles from crossing a federal or state highway.
9. And, the owner of the work-site utility vehicle must register it with the Anthony Police Department prior to operating it on any streets, alleys, or public right-of-ways and must be renewed each January 1st thereafter;
 - a. The annual registration fee shall be set by the city commission through a resolution at the beginning of each year;
 - b. The proof of registration decal must be visibly displaced on the rear of the work-site utility vehicle at all times;
 - c. Proof of liability insurance must be presented and the registration fee paid in full prior to the issuance of the registration decal;
 - d. And, the registration of the work-site utility vehicle is non-transferrable. In the event of a sale or transfer of ownership, the new owner must register the work-site utility vehicle in his, her, or its name prior to operating it on any streets, alleys, or public right-of-ways.

Section 3. City Code Section 16-103 shall be amended to read: TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

- (a) An ordinance traffic infraction is a violation of any regulation as incorporated through sections 16-101 and 16-102 of the Anthony City Code, that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.
- (b) All traffic violations which are included within the Anthony City Codes, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 4. City Code Section 16-104 shall be amended to read: 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 exceed \$1,000 and court costs in the amount of \$98.00.

Section 5. City Code Section 16-105, REPEALED. City Code Section 16-105 is hereby repealed.

Section 6. City Code Section 16-106, REPEALED. City Code Section 16-106 is hereby repealed.

Section 7. REPEAL. Ordinance number G-2839 is repealed.

Section 9. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in The Anthony Republican, the official City newspaper, as provided by law.

PASSED, APPROVED AND ADOPTED this 15th day of October, 2019.

Greg Cleveland, Mayor

(SEAL)

ATTEST:

Cyndra Kastens, City Clerk/Administrator