

## **CHAPTER XIV. TRAFFIC**

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- Article 3. Work Site Utility Vehicles
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### **ARTICLE 1. STANDARD TRAFFIC ORDINANCE**

- 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 McLouth, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2012, 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. 2012-6", 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 or official copies of such "Standard Traffic Ordinance" similarly marked, as may be deemed expedient. (Ord. 2012-6; Code 2012)
- 14-102. **SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.** (a) An ordinance traffic infraction is a violation of any section of this article 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 violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.  
(Ord. 2012-6; Code 2012)
- 14-103. **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, incorporating herein as attachment "A". 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 \$500. (Ord. 2012-6; Code 2012)

## ARTICLE 2. LOCAL TRAFFIC REGULATIONS

14-201. TRAFFIC CONTROL DEVICES AND MARKINGS. The Standard Traffic Ordinance as adopted is hereby modified by adding thereto the following:

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. 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. Any official traffic control device placed pursuant to this section shall be marked and labeled on a map of the City of McLouth for the purpose of displaying all such traffic control devices and shall be filed with the city clerk to be open to inspection and available to the public at all reasonable hours of business.  
(Code 2012)

14-202. CARELESS DRIVING. (a) It shall be unlawful for any person to operate any vehicle upon a public highway, street, or alley within the city in a manner not reasonably necessary for the ordinary use or normal operation thereof, or in a manner as to indicate a careless or heedless disregard for the rights or the safety of others, or in a manner as to endanger or be likely to endanger any person or property.

(b) Operation in a manner not necessary for the ordinary use or normal operation shall include, but not limited to, excessive or unnecessary acceleration or braking so as to cause the vehicle to lose traction by spinning or sliding of the tires upon the road surface and creating an audible noise or deposit of tire materials upon the road surface other than due to weather, road surface conditions, vehicle malfunction, or eminent emergency.

(c) It shall be a prima facie violation for any driver to strike any other vehicle, object or property that is not occasioned by the direct and proximate actions of any other person.

(d) Violation of this section shall be considered as a violation of a municipal ordinance only, and shall not be considered violation of a traffic infraction or misdemeanor for purposes of driving history, and shall be punishable according to a fine schedule as established by the municipal court.

(Ord. 2003-02; Code 1984, 14-201; Code 2012)

14-203. MAIN TRAFFICWAY DESIGNATION; LOVERS LANE. The street located within the city limits of McLouth, Kansas, known as Lovers Lane is hereby designated as a main trafficway. (Ord. 2005-01; Code 2012)

14-204. PARKING REGULATIONS. (a) No person shall park any vehicle in the 300 block of Gertrude Street on either side of the roadway; specifically, said prohibited location shall begin at the intersection of Granite Street and Gertrude Street, and extend 175 feet east, along both sides of Gertrude Street, except that a driver may stop temporarily, but not to exceed any time greater than reasonably necessary for or during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals by a police officer.

(b) No truck, trailer or commercial vehicle, with an over-all length in excess of 24 feet, shall remain parked or standing for any period in excess of two consecutive hours on any city street within the zoned business district of the city of McLouth, Kansas.

(c) Parking of semi-trucks and trailers with a gross weight of 12,000 pounds or more shall be prohibited on Union Street within the Business District between the hours of 11:00 p.m. and 6 p.m.

(d) Parking on West Lucy Street shall be limited to the North side only from 150 west of Union Street to Summit Street. There shall be no parking on the south side of the street from 150 feet west of Union Street to Summit Street.  
(Ord. 2003-07; Ord. 2002-10; Ord. 2001-05; Code 2012)

14-205. SCHOOL ZONE. A School Zone establishing a maximum speed limit of 20 miles per hour, when in effect, is hereby enacted within the corporate city limits of McLouth, Kansas. (Pursuant to K.S.A. 8-1560(a)(4), K.S.A. 8-1338, K.S.A. 8-2002(11); Sec. 33 of the Standard Traffic Ordinance for Kansas Cities, Ordinance 93-3 of the City of McLouth, Kansas.)

(a) A School Zone is to exist at a location on Lake Street (also designated Kanas Highway 92 and 16) approximately 500 feet in total length, to be located between approximately 220 feet west of the southwest corner of the intersection of Lake Street and Summit Street to approximately 280 feet east of the southwest corner of the intersection of Lake Street and Summit Street. Beginning and end of the School Zone shall be designated with Kansas Department of Transportation approved traffic-control signs and/or devices indicating times when the 20 mile per hour limit is to be observed.

(b) Violation of this section shall be considered a traffic offense, as defined in 14-102 and shall be subject to penalty as per Section 14-103.  
(Code 2012)

14-206. 20 MILES PER HOUR (MPH) SPEED LIMIT. A 20 MPH Speed Limit zone is hereby enacted within the corporate city limits of McLouth, Kansas (Pursuant to K.S.A. 8-1560(a)(5); K.S.A. 8-1560(e); K.S.A. 8-1338; K.S.A. 8-2002(10); Sec 33 of the Standard Traffic Ordinance for Kansas Cities, Ordinance 93-3 of the City of McLouth, Kansas.)

(a) A 20 MPH zone is to exist within the following boundaries: On Summit Street between Lake Street (also designated Kansas Highway 92 and 16) and Cynthia Street; Cynthia Street between Union Street and Westview Street; Westview Street between Cynthia Street and Lake Street (also designated Kansas Highway 92 and 16); Agnes Street between Union Street and Summit Street; Lucy Street between Union Street and Summit Street.

(b) Violation of this section shall be considered a traffic offense, as defined in Section 14-102, and shall be subject to penalty as per Section 14-103.  
(Code 2012)

14-207. TRUCK ROUTES. (a) It shall be unlawful for any person, firm, or corporation to operate a truck, trailer, or semi-trailer with a registered gross weight in excess of 20,000 pounds on any street within the corporate limits of the city, other than the following designated truck routes:

(1) Highway 16 from the west city limits to the east city limits;

- (2) Highway 92 from the west city limits to the north city limits;
  - (3) Union Street south from Highway 16;
  - (4) Cynthia Street west from Highway 92; and
  - (5) Summit Street north from Highway 16/92;
  - (b) Westview Road is also a designated truck route with a registered gross weight limit of no more than 30,000 pounds, with exceptions for authorized deliveries to U.S.D. 342 premises.
  - (c) Appropriate signs shall be posted upon such truck routes.
  - (d) The City Clerk and Chief of Police shall keep and maintain accurate maps setting out truck routes on which truck traffic is permitted; the maps shall be kept on file in the office of the City Clerk and shall be available to the public for inspection.
- (Ord. 2010-4; Code 2012)

14-208. SPECIAL EVENTS PARKING. It has been determined advisable to regulate parking and traffic flow near Steam Engine Park during special events held there. (Ord. 11-21-89; Code 2012)

14-209. SAME; ONE-WAY STREETS. It is hereby ordered that during special events at Steam Engine Park that Home Street shall be a one-way street running south from Lake Street to French Street and French Street shall be a one-way street running east from Home Street to Union Street. (Ord. 11-21-89; Code 2012)

14-210. SAME; PARKING RESTRICTIONS. It is hereby ordered that during special events at Steam Engine Park that parking shall only be allowed on the east side of Home Street from Lake Street to 50 feet north of French Street and no parking shall be allowed on Home Street from 50 feet north of French Street to French and on French Street from Home Street to Union Street. (Ord. 11-21-89; Code 2012)

### ARTICLE 3. WORK SITE UTILITY VEHICLES

- 14-301. PURPOSE. This article is enacted for the purpose of establishing the scope of the permissible operation of Work Site Utility Vehicles within the corporate boundaries of McLouth, Kansas. (Ord. 2011-09; Code 2012)
- 14-302. AUTHORITY. The enactment of this article is expressly permitted by K.S.A. 8-15,109, which permits municipalities of the State of Kansas to authorize the operation of work site utility vehicles within municipal boundaries. (Ord. 2011-09; Code 2012)
- 14-303. DEFINITIONS. The following definitions apply to this article.  
(a) City means the City of McLouth, Kansas.  
(b) Work Site Utility Vehicle means any vehicle that is not less than 48 inches in width, has an overall length of not more than 135 inches, has an unladen weight of more than 800 pounds, is equipped with at least four tires in contact with the ground during operation, a steering wheel, bench seat, seat belts for all operators and passengers, head lamps, tail and brake lamps. (Ord. 2011-09; Code 2012)
- 14-304. RESTRICTIONS ON USE. The operation of Work Site Utility Vehicles on the public highways of McLouth, Kansas is permitted, except that:  
(a) Use is permitted only on highways with a speed limit of 30 miles per hour or less, except that such vehicles may cross a roadway with a greater maximum posted speed in a perpendicular route after yielding to cross traffic;  
(b) A person operating a Work Site Utility Vehicle must stay to the right of all traffic except when making turns; and  
(c) Any person operating a Work Site Utility Vehicle not equipped with a windshield must wear eye protection while the Work Site Utility Vehicle is in motion. (Ord. 2011-09; Code 2012)
- 14-305. LICENSING REQUIREMENTS. Any person operating a Work Site Utility Vehicle within the boundaries of the city must possess a valid driver's license issued under the laws of this or any other state. (Ord. 2011-09; Code 2012)
- 14-306. INSURANCE. Any person operating a Work Site Utility Vehicle within the boundaries of the city must maintain in force a valid policy of insurance covering said Work Site Utility Vehicle as established in K.S.A. 40-3101, et seq., and Standard Traffic Ordinance Section 200, including liability for damages for injury to property, injury to persons, and death. (Ord. 2011-09; Code 2012)
- 14-307. DUTY TO ABIDE BY STATE AND LOCAL TRAFFIC LAWS. Except as otherwise provided herein, an operator of a Work Site Utility Vehicle is subject to the laws regulating vehicle traffic as set forth in K.S.A. 8-101, et. seq., and the Standard Traffic Ordinance incorporated in Chapter XIV, Article 1 of the McLouth

Municipal Code, including any punishments for violations thereof. (Ord. 2011-09; Code 2012)

14-308. VIOLATIONS OF THIS ARTICLE; PENALTIES. (a) Any person guilty of operating a Work Site Utility Vehicle on the public highways of the city in a manner not permitted in this article, shall, upon the first conviction, be fined in an amount not to exceed \$250.

(b) Any person guilty of operating a Work Site Utility Vehicle on the public highways of the city in a manner not permitted in this article, shall, upon the second and all subsequent convictions, be fined in an amount not to exceed \$1,000.

(Ord. 2011-09; Code 2012)

#### ARTICLE 4. HAZARDOUS MATERIALS

- 14-401. HAZARDOUS MATERIAL DEFINED. As used in this article, the term hazardous material shall mean any compressed gas, explosive, flammable liquid, flammable solid, oxidiser, poison, radioactive material or any substance that due to its nature may cause death or disability injury upon contact therewith. (Code 2012)
- 14-402. SAME; EXCEPTIONS. The provisions of this article shall not apply to any container which shall have a capacity of 150 gallons or less which 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. (Code 2012)
- 14-403. TRANSPORTATION OF HAZARDOUS MATERIALS. Except as provided in section 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. (Code 2012)
- 14-404. HAZARDOUS MATERIALS ROUTES. The provisions of section 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public right-of-ways within the city except those specified within this section where transportation of hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the following streets, avenues, highways or roadways:
- (a) K-16 Highway throughout the city; and
  - (b) K-92 Highway throughout the city.
- (Code 2012)
- 14-405. PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS. (a) 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 the city limits.
- (b) Subsection (a) 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 14-304. (Code 2012)
- 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. (Code 2012)

## ARTICLE 5. GOLF CARTS

- 14-501.           PURPOSE. This article is enacted for the purpose of establishing the scope of the permissible operation of Golf Carts within the corporate boundaries of McLouth, Kansas. (Ord. 2012-08; Code 2012)
- 14-502.           AUTHORITY. The enactment of this article is expressly permitted by K.S.A. 8-15,108, which permits municipalities of the State of Kansas to authorize the operation of Golf Carts within municipal boundaries. (Ord. 2012-08; Code 2012)
- 14-503.           DEFINITIONS. The following definitions apply to this article.  
          (a) City means the City of McLouth, Kansas.  
          (b) 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 and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.  
(K.S.A. 8-1495; Ord. 2012-08; Code 2012)
- 14-504.           RESTRICTIONS ON USE. The operation of Golf Carts on the public highways of McLouth, Kansas is permitted, except that:  
          (a) Use is not permitted on highways with a speed limit of greater than 30 miles per hour, except that such vehicles may cross a roadway with a greater maximum speed limit in a perpendicular route after yielding to cross traffic.  
          (b) A person operating a Golf Cart must stay to the right of all traffic except when making turns.  
(Ord. 2012-08; Code 2012)
- 14-505.           LICENSING REQUIREMENTS. Any person operating a Golf Cart within the boundaries of the City must possess a valid driver's license under the laws of this or any other state. (Ord. 2012-08; Code 2012)
- 14-506.           INSURANCE. Any person operating a Golf Cart within the boundaries of the City must maintain in force a valid policy of insurance covering said Golf Cart in the manner set forth in K.S.A. 40-3101, et seq., and Standard Traffic Ordinance Section 200, including coverage for liability for damages for injury to person, property, or death. (Ord. 2012-08; Code 2012)
- 14-507.           DUTY TO ABIDE BY STATE AND LOCAL TRAFFIC LAWS. Except as otherwise provided herein, an operator of a Golf Cart is subject to the laws regulating vehicle traffic as set forth in K.S.A. 8-101, et seq., and the Standard Traffic Ordinance incorporated in Chapter XIV, Article 1 of the McLouth Municipal Code, including any punishments for violations thereof. (Ord. 2012-08; Code 2012)
- 14-508.           VIOLATIONS OF THIS ARTICLE; PENALTIES.  
          (a) Any person guilty of operating a Golf Cart on the public highways of the

City in a manner not permitted in this article, shall, upon the first conviction, be fined in an amount not to exceed \$250.

(b) Any person guilty of operating a Golf Cart on the public highways of the City in a manner not permitted in this article, shall, upon the second and all subsequent convictions, be fined in an amount not to exceed \$1,000.

(Ord. 2012-08; Code 2012)