

ORDINANCE NUMBER 542

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HIGHLAND, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2017, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER 532 OF THE CITY OF HIGHLAND, KANSAS.

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

SECTION ONE: Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Highland, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 2017 (45th Edition), 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 (3) copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as adopted by Ordinance No. 542", 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, city attorney, 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 said Standard Traffic Ordinance as may be deemed expedient.

SECTION TWO: Speed Limit Modifications. The Governing Body, having determined upon the basis of an engineering and traffic investigation that the speed limit set forth in Section 33(a) of the Standard Traffic Ordinance is not sufficient and appropriate under the conditions found to exist in the following described areas of the city, determines and declares that the reasonable and safe speed limit is as set forth hereinafter, in accordance with Section 33(c) of the Standard Traffic Ordinance:

Article 7, Section 33(a) is modified to read as follows:

(1) The speed limit on east Spring Street from Carolina Street to the eastern corporate city limits shall be thirty (30) miles per hour. The speed limit on south Kansas Street from Main Street to the southern corporate city limits shall be thirty (30) miles per hour.

(2) On all other streets within the City of Highland, Kansas, the speed limit shall be twenty (20) miles per hour.

(3) Nothing herein shall be construed to replace or eliminate the basic rule of "reasonable and prudent" speed set forth in Section 32 of the Standard Traffic Ordinance, which remains in full force and effect.

(4) The chief of police (city marshal), or some other city employee under the guidance of the chief of police, is hereby directed to erect appropriate signs giving notice of such speed limits.

SECTION THREE: Traffic Regulations on Private Property. Whenever the person in possession or control of any public or private (non-highway) property used by the public for purposes of vehicular traffic shall cause to be posted at each entrance thereto, with permission of the owner, a permanently-lettered, clearly legible sign with the following legend:

"Traffic regulations of the City of Highland enforced on this property. Speed limit (as posted) M.P.H.",

or words of like meaning or similar import, then such public or private (non-highway) property shall thereafter be deemed to be under the traffic regulations of the City, as provided by law, and which shall be marked by such traffic control devices as may be appropriate.

SECTION FOUR: Through-Streets. In accordance with the provisions of Section 59 of the Standard Traffic Ordinance, and when signs are erected giving notice thereof, drivers of vehicles shall stop or yield, as the sign directs, at every intersection before entering any of the following streets or parts of streets, which are hereby designated through-streets:

- A. All of Kansas, Missouri, Main and Spring Streets.
- B. Prairie, Elmira and Carolina Streets from Main Street to Missouri Street.
- C. Iowa Street south of Main Street and South Avenue.
- D. Pennsylvania Street from Carolina Street to South Avenue, excepting its intersection with Kansas Street.

SECTION FIVE: Miscellaneous Traffic Regulations. The City of Highland incorporates herein additional traffic laws and regulations pertaining, but not limited to, the following matters, which shall be appropriately marked by the proper traffic control devices, when applicable, and on which a complete list or map thereof shall be filed with the City Clerk and available to the public for notice and inspection:

- A. Stop signs
- B. Parking (when prohibited)
- C. Parking (angle)
- D. Yield signs
- E. School zones

- F. U-turns
- G. One-way streets
- H. "Do not enter" signs
- I. Weight limits
- J. Trucks and commercial vehicles
- K. Loading zones
- L. Miscellaneous traffic control matters

The governing body shall, from time to time, formally approve or amend such list or map, by motion, at any regular or special meeting thereof. The chief of police (city marshal), or some other city employee under the guidance of the chief of police, is herewith empowered to erect and place such traffic control devices as may be necessary and appropriate hereunder, pursuant to the express direction of the governing body.

SECTION SIX: Omission of Certain Sections. Prohibitions as set forth in Article 14, Sections 114.1 *Unlawful Operation of All-Terrain Vehicle*, 114.2 *Unlawful Operation of a Micro Utility Truck*, 114.4 *Unlawful Operation of a Golf Cart* and 114.5 *Unlawful Operation of a Work-Site Utility Vehicle* are hereby omitted and deleted, as operation of such vehicles is allowed, under restricted conditions, pursuant to other City ordinances.

SECTION SEVEN: Addition of Certain Sections.

A. Article 13, Section 102.1 is hereby added by insertion into said standard ordinance:

Sec. 102.1 Prohibited Parking of Truck Tractors, Commercial Motor Vehicles, Implements of Husbandry and Certain Other Vehicles and Trailers on the Public Rights-of-Way.

(a) To enhance the safe and free flow of traffic, by reason of blocking of traffic lanes, impeding lines of sight of drivers and, in some circumstances, eliminating a noise problem, the following types of vehicles, motor vehicles, trailers and agricultural implements, as normally defined or as otherwise defined by the Standard Traffic Ordinance for Kansas Cities, shall not be permitted to be parked on the streets, alleys, highways or public rights-of-way within the corporate limits of said City:

1. Commercial Motor Vehicles.
2. Truck Tractors.
3. Travel Trailers.
4. Farm Tractors.
5. Farm/Gooseneck Trailers.
6. Box/Enclosed Trailers
7. Implements of Husbandry.

8. Recreational Vehicles.
9. School Buses.
10. Self-Propelled Farm Implements.
11. Semitrailers.
12. Boat Trailers

Provided, however, this prohibition does not apply to the following that are parked in such a manner that does not significantly impede the flow of traffic and vision of the roadway:

1. Small utility trailers, of a size not exceeding 5 feet in width and 12 feet in length, that are connected to a vehicle; or
2. Loading and unloading of commercial and delivery vehicles, as set forth in Section 98 hereof; or
3. Parking of any vehicle used for the transport of passengers, that is otherwise prohibited hereunder, for a period of time not to exceed one hour, for the limited purpose of entering into and conducting business with any retail establishment; or
4. Any vehicle or trailer that is otherwise prohibited hereunder that is owned by a customer of a vehicle repair business and which is parked adjacent to the location of such business, for a reasonable period of time, for the purpose of undergoing repairs; or
5. Utility trailers of a size exceeding that set out in subsection 1 hereof that are parked, for a reasonable period of time, for the sole purpose of actively providing services to the adjacent landowner, including trailers hauling yard service and earth-moving vehicles and equipment.

B. Article 5, Section 29.1 is hereby added by insertion into said standard ordinance:

Section 29.1 Careless Driving. Any person who shall operate, drive or halt any vehicle in such a manner as to indicate a careless or heedless disregard for the rights or the safety of others, or in such a manner as to endanger, or to be likely to endanger, any person or property, is guilty of the offense of careless driving, and upon conviction thereof, shall be subject to penalty as provided in Article 20, Section 201 of said Standard Traffic Ordinance for Kansas Cities; provided, however, said violation shall not constitute a moving violation under state law or regulations.

SECTION EIGHT: Meaning of term "Chief of Police". In addition to the provisions contained in said Standard Traffic Ordinance, it is hereby provided that, wherever the terms police chief or chief of police are used in said Standard Traffic Ordinance, said terms shall be equivalent and synonymous with the term city marshal.

SECTION NINE: Traffic Infractions and Traffic Offenses. An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined herein, shall be considered traffic offenses.

SECTION TEN: Penalty for Scheduled Fines. The fine for violation of any 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 Ten Dollars (\$10.00) nor more than Two Thousand, Five Hundred Dollars (\$2,500.00), for a first offense. 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 Two Thousand, Five Hundred Dollars (\$2,500.00) for a first conviction.

SECTION ELEVEN: Repeal of Prior Ordinance. Ordinance No. 532 of the City of Highland, Kansas, and all ordinances and parts of ordinances of said City in conflict herewith, are hereby repealed.

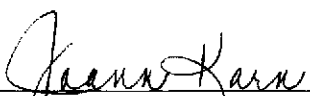
SECTION TWELVE: Effective Date. This ordinance shall take effect and be in force from and after its summary publication in the official city newspaper.

Passed by the governing body and approved by the Mayor of the City of Highland, Kansas, this 9th day of August, 2017.



JERRY TWOMBLY, Mayor

ATTEST:



Joann Karn, City Clerk

(SEAL)

