

**ORDINANCE NUMBER 599**

**AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS, AUTHORIZING THE LIMITED OPERATION OF ALL-TERRAIN VEHICLES, WORK-SITE UTILITY VEHICLES, MICRO-UTILITY VEHICLES WITHIN THE CORPORATE LIMITS OF SAID CITY; REPEALING REMAINING SECTIONS OF ORDINANCE NO. 484 OF SAID CITY AND REPEALING ANY AND ALL OTHER ORDINANCES OF SAID CITY IN CONFLICT HEREWITH.**

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

**SECTION ONE: ATV/WSUV/MUT - LIMITED OPERATION AUTHORIZED.** Except as provided herein this section and following sections, it shall be unlawful for any person to operate, or to allow the operation of an all-terrain vehicle (ATV), a work-site utility vehicle (WSUV), or a micro utility vehicle (MUT), as defined, within the corporate limits of the City of Highland, Kansas. The following limited operation of said vehicle(s) is hereby authorized:

- (a) Any such vehicle must be covered by liability insurance for bodily injury and property damage, and such coverage shall be in an amount not less than the minimum policy amounts for such coverage as required by Kansas law for insured vehicles of the same type, if applicable.
- (b) Any such vehicle shall be equipped with properly functioning brakes and steering mechanism, functioning taillights or readily visible red reflectors on the rear, and a mirror so located as to reflect to the driver a view of the highway to the rear of the vehicle.
- (c) Persons shall ride on such vehicles only upon the permanent and regular seats attached thereto, and the operator shall only transport the number of persons the vehicle is designed to carry. No operator shall transport any person or object that will interfere with the safe operation or control of the vehicle.
- (d) All such permitted operation shall be in an otherwise safe and responsible manner, subject to all traffic laws and rules of the road, including those in the Standard Traffic Ordinance for Kansas Cities, as the same may be amended from time to time.

**SECTION TWO: WORK-SITE UTILITY VEHICLE (WSUV) AND MICRO UTILITY VEHICLE (MUT)**

- (a) Operation on the public streets and highways is restricted to persons possessing a valid license to operate a motor vehicle, and that are not less than 16 years of age.
- (b) All WSUVs and MUTs shall have the equipment listed in Section One (b) and the following:
  - (1) Head lamps;
  - (2) Tail lamps;
  - (3) Rear reflectors;
  - (4) Stop lamps;
  - (5) Turn signals;

- (6) Mirror on the left side of vehicle;
- (7) Mirror on the right side or inside center of vehicle;
- (8) Safety belts and shoulder harness;
- (9) Mufflers and noise suppressing system; and
- (10) Windshield or eye protection.

**SECTION THREE: ALL-TERRAIN VEHICLE (ATV)**

- (a) Operation shall be limited to between the hours of 7:00 a.m. and 9:00 p.m., by persons possessing a valid license to operate a motor vehicle, and that are not less than 16 years of age. No such vehicles shall be operated between sunset and sunrise unless equipped with lights as required by law for motorcycles.
- (b) Such vehicles shall not be operated for the purpose of general transportation, for transporting the operator or other persons from place to place within the city, or for joyriding, racing or recreational riding, whether on public streets or highways or on private or public property within the city.
- (c) In connection with the repair and maintenance of private and public property and facilities within the city, when operated off-highway and when going to and from the work site.
- (d) The mayor may authorize the operation of such vehicles for participation in parades or other public functions.
- (e) During an emergency, such vehicles can be operated by, or under the direction of the police, fire or EMS departments of the City or other governmental agency, in which circumstance no hours of operation limitation applies.
- (f) Such vehicles may be operated for the limited purpose of transporting such vehicle from the residence of the owner/operator within the city limits, or from another permanent storage location within the city limits, on a direct route to the corporate limits of the city, and for the purpose of returning to such residence or storage location by a direct route. Such limited operation does not allow the operator to deviate from such direct route, or to stop the vehicle at another location, other than to obey traffic control devices and to follow rules of the road.

**SECTION FOUR: STO PROVISIONS.** Any terms or provisions of the Standard Traffic Ordinance for Kansas Cities relating to ATVs, MUTs and MSUVs that are in conflict herewith shall not be applicable, including Sections 114.1 (ATV), 114.2 (MUT) and 114.5 (MSUV) thereof, as the same may be adopted, amended and in effect from time to time in the city.

**SECTION FIVE: PENALTY.** Any person convicted of a violation of this ordinance shall be subject to penalty as provided in Article 20, Section 201 of the Standard Traffic Ordinance for Kansas Cities, as adopted by the City of Highland, Kansas, or such other general penalty section of said STO in replacement thereof, as the same may be amended from time to time.

**SECTION SIX: REPEALER.** The remaining sections of Ordinance No. 484 of the City of Highland, Kansas, and all ordinances and parts of ordinances of said City in conflict herewith, are hereby repealed.

**SECTION SEVEN: EFFECTIVE DATE.** This ordinance shall be in full force and effect upon publication, in summary form, in the official city newspaper, and as otherwise authorized by law.

Passed by the governing body and approved by the Mayor of the City of Highland, Kansas, this 10th day of April 2024.

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Charles N. Batchelder, Mayor

ATTEST:

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Joann Karn, City Clerk (SEAL)