

(Published in the Minneapolis Messenger Thursday, December 6, 2018)

ORDINANCE NO. 136

An ordinance regulating traffic within the corporate limits of the City of Culver, Kansas, incorporating by reference the *Standard Traffic Ordinance* for Kansas Cities, edition of 2017, with certain changes and additions; providing certain penalties and repealing ordinances numbered 7, 14, 20, 107A, 128 and 129.

Be it Ordained by the Governing Body of the City of Culver:

Section 1. INCORPORATING *STANDARD TRAFFIC ORDINANCE*. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Culver, Kansas, that certain standard traffic ordinance know as the *Standard Traffic Ordinance* for Kansas Cities, Edition of 2017, 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 added or changed. One copy of said *Standard Traffic Ordinance* shall be marked or stamped "Official Copy as Adopted by Ordinance No. 136." All sections or portions thereof intended to be added or changed, clearly marked to show any such addition or change 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.

Section 2. 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. 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.

Section 3. ARTICLE 1, SECTION 1, DEFINITIONS IS AMENDED TO ADD THE FOLLOWING OTHER OFF-ROAD VEHICLES; EXCEPTIONS:

OFF-ROAD VEHICLES: Will include, but are not limited to, go-carts, dirt bikes, mini-bikes, dune buggies, motorized bicycles, midget vehicles, motorized skateboards, motorized hover boards, Segway personal transporters and any other motorized vehicles not required by law to have a license plate. Does not pertain to farm tractors or farm implements when used for agricultural purposes, lawnmowers when being moved from yard to yard to be used for lawn care purposes, or other equipment not being used for recreational purposes, et cetera.

EXCEPTIONS may be made through proper authorization by the Governing Body for parades and other official city events, et cetera.

Section 4. CHANGING SPEED LIMIT. (See K.S.A. 8-1558)

THE GOVERNING BODY DETERMINES THE MAXIMUM SPEED LIMIT ON ALL STREETS WITHIN THE CITY LIMITS; EXCEPT RAILROAD WAY AND WEST STREET (ALSO KNOWN AS N. 90TH ROAD).

(a) The Governing Body having determined upon the basis of an engineering and traffic investigation that the speed limit permitted under state law and Article 7, Section 33 of the *Standard Traffic Ordinance* is greater than is reasonable or safe under the conditions found to exist upon our city streets, hereby determines and declares that the reasonable and safe speed limit on our city streets to be (15) miles per hour.

(b) The speed limit on Railroad Way is determined and posted by the property owners.

(c) The speed limit on West Street (also known as N. 90th Road is determined and posted by the Ottawa County - Highway Dept.

Section 5. ARTICLE 14, SECTION 114.1 UNLAWFUL OPERATION OF ALL-TERRAIN VEHICLES-IS AMENDED TO READ: UNLAWFUL OPERATION OF ALL-TERRAIN AND OFF-ROAD VEHICLES.

~~(c) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles (K.S.A. Supp. 8-15,100) is hereby changed to read:~~

(c) No all-terrain or off-road vehicles shall be operated on any public highway, street, road or alley in the city limits of the City of Culver, Kansas at any time, day or night.

Section 6. REPEAL. Ordinances numbered 7, 14, 20, 107A, 128 and 129 are repealed.

Section 7. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official newspaper, *The Minneapolis Messenger*.

Passed by the Governing Body this __13th__ day of __November__, 2018.

Approved by the Mayor this __13th__ day of __November__, 2018.

_____, Mayor

ATTEST:

_____, City Clerk

(SEAL)