

**ORDINANCE NO. G-1422**

AN ORDINANCE AMENDING SECTION 10.04.010 OF TITLE 10, CHAPTER 10.04 OF THE EL DORADO MUNICIPAL CODE PERTAINING TO TRAFFIC AND INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" 50TH EDITION, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING PRIOR ORDINANCES

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

Section 1: That Section 10.04.010 Title 10, Chapter 10.04 of the El Dorado Municipal Code shall be replaced as follows:

Section 10.04.010: STANDARD TRAFFIC ORDINANCE INCORPORATED. There is hereby incorporated, by reference, for the purpose of regulating traffic upon the highways, parks, public lands, drives and parking lots, whether public or private, if open to and accessible to the public, within the corporate city limits of the City of El Dorado, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," 51<sup>st</sup> Edition, prepared and published by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. One official copy of said "Standard Traffic Ordinance" shall be marked "official Copy as incorporated by the El Dorado Municipal Code," 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 ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2: Omission.

Sections 114.1 and 114.4 of the Standard Traffic Ordinance relating to the operation of golf carts and All-Terrain Vehicles (ATVs) on public streets are hereby omitted and deleted.

Section 3: Amended Provisions for the operation of All-Terrain Vehicles (ATVs) on public streets.

Section 114.1 of said Standard Traffic Ordinance is hereby supplemented, by adding the following sections:

Section 114.1 Operation of All-Terrain Vehicles (ATV) and/or Utility- Terrain Vehicle (UTV) on City Streets

- (a) An All-Terrian Vehicle (ATV) is defined as any motorized nonhighway vehicle, other than an electric-assisted bicycle, 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less, and traveling on three or more nonhighway tires. (K.S.A. 8-1402a; K.S.A. 8-126)
- (b) A Utility-Terrain Vehicle (UTV) defined as any motorized nonhighway vehicle, other than an electric-assisted bicycle, 78 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 5,500 pounds or less, and traveling on three or more nonhighway tires. (K.S.A. 8-1402a; K.S.A. 8-126)
- (c) ATVs/UTVs as defined above shall be operated on the public highways, streets, roads and alleys within the corporate limits of the city, with the following exceptions.
  - 1) No ATV/UTV may be operated upon any interstate, federal or state highway.
  - 2) No ATV/UTV may be operated upon any public street, road or alley between sunset and sunrise unless such vehicle is equipped with lights and reflectors as required for motorcycles under K.S.A. 8-1721 and amendments thereto.
  - 3) All ATV/UTVs operating on a public street, road or alley must be equipped with at least one side view and one rear view mirror.
  - 4) All ATV/UTVs shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.

- (d) The provisions of subsections (1) and (2) shall not prohibit an ATV/UTV from crossing a federal highway, state or public highway, street, road or alley with a posted speed limit in excess of thirty (30) miles per hour.

Section 4: Amended Provisions for the operation of Golf Carts on public streets.

Section 114.4 of said Standard Traffic Ordinance is hereby supplemented, by adding the following sections

Section 114.4. Operation of Golf Carts on City Streets

- (a) Golf Carts, as defined by the Standard Traffic Ordinance, shall be operated on the public highways, streets, roads and alleys within the corporate limits of the city, with the following exceptions.
- 1) No golf cart may be operated upon any interstate, federal or state highway.
  - 2) No golf cart may be operated upon any public highway, street, road or alley with a posted speed limit in excess of thirty (30) miles per hour or as otherwise specifically excluded. Excluded streets include:
    - i. Central Avenue
    - ii. Main Street
    - iii. Sixth Avenue
    - iv. Southwest Traffic Way
    - v. McCollum Road
    - vi. Haverhill Road
  - 3) The provisions of subsections (1) and (2) shall not prohibit a golf cart from crossing a federal highway, state or public highway, street, road or alley with a posted speed limit in excess of thirty (30) miles per hour.
  - 4) No golf cart may be operated on any public sidewalk, bicycle path or other recreational path not designated for their specific use.
  - 5) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights as required by law for motorcycles.
  - 6) Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.
- (b) Display of slow moving vehicle emblem.
- 1) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle. The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

Section 5: Additional provisions for the operation of ATV/UTVs and Golf Carts on public streets.

- (c) Valid Driver's License Required; Penalty.
- 1) No person shall operate an ATV/UTV or golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.
- (d) Insurance Required; Penalty.
- 1) Every owner of an ATV/UTV or golf cart shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance 51<sup>st</sup> Edition, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto. All provisions of Section 200 of the Standard Traffic Ordinance 51<sup>st</sup> Edition, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of ATV/UTVs and golf carts.
- (e) Registration; Application.
- 1) Before operating an ATV/UTV or golf cart on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the El Dorado Police Department and a copy of the registration must be in the vehicle at all times. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's driver license number, the owner's residence address or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable).

- 2) All ATV/UTV and golf cart operators within city limits are required to visibly display the registration number decal issued by the police department on their vehicles at all times.
- 3) Proof of insurance, as required in Section (d) shall be furnished at the time of application for registration.
- 4) The license issued hereunder is not transferrable.

Section 6: Amended provisions for the operation of work-site vehicles.

Section 114.5 of the Standard Traffic Ordinance shall be amended as follows.

(e) Section 114.5 of the Standard Traffic Ordinance shall not apply to the following:

- 1) Equipment operated by duly authorized representatives of the city or its designees for the maintenance of city property or city recreational facilities.
- 2) Equipment operated by duly authorized representatives of Butler County, Kansas or its designees for the maintenance of county property or facilities.
- 3) Equipment operated by duly authorized representatives of USD 490 or USD 375 for the maintenance of school property or facilities.
- 4) Equipment operated by duly authorized representatives of Butler Community College or its designees for the maintenance of college property or facilities.

(f) All work-site vehicles operated by local government or school representatives shall be subject to Section 4 (a) as provided in this Ordinance.

Section 7: Penalties.

Unless specifically provided herein, a violation of any provision in sections 1 through 4 shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the Standard Traffic Ordinance 51<sup>st</sup> Edition, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 8: Repeal.

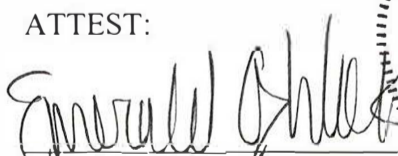
All other ordinances or parts of other ordinances in conflict herewith are hereby repealed.

Section 9: Effective Date.


This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of El Dorado, Kansas, this 5<sup>th</sup> day of August 2024.

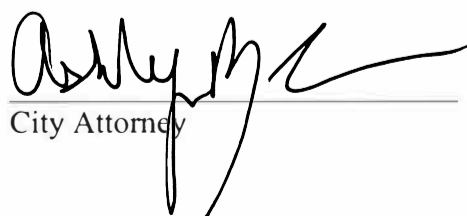
ATTEST:

  
Emerald Ashlock, City Clerk



  
Mayor Bill Young

APPROVED AS TO FORM:

  
City Attorney