

ORDINANCE NO. 687

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS AND WORK-SITE UTILITY VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF TOWANDA; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; PROVIDING FOR THE REPEAL OF SECTIONS 114.4 AND 114.5 OF THE 2018 STANDARD TRAFFIC ORDINANCE AS ADOPTED BY ORDINANCE NO. 684 AND THE REPEAL OF ORDINANCE NO. 576.

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

SECTION 1. OPERATION OF GOLF CARTS AND WORK-SITE UTILITY VEHICLES. (a) Golf carts and work-site utility vehicles may be operated upon the public highways, streets, roads, and alleys within the corporate limits of the City; provided, however, that no golf cart or work-site utility vehicle may be operated upon any public highway, street, road, and alley with a posted speed limit in excess of 40 miles per hour. No golf cart or work-site utility vehicle shall be operated on any interstate highway, federal highway, or state highway; provided, however, that the provisions of this subsection shall not prohibit golf carts or work-site utility vehicles from crossing a federal or state highway or a street or highway with a posted speed limit greater than 40 miles per hour.

(b) No golf cart or work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a golf cart or work-site utility vehicle 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.

SECTION 2. SAME; DEFINITION. (a) "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 operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver.

(b) "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds, and is equipped with four or more low pressure tires, a steering wheel and bench or bucket type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck.

SECTION 3. SAME; VALID DRIVER'S LICENSE AND INSURANCE REQUIRED. (a) No person shall operate a golf cart or work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid driver's license.

(b) No person shall operate a golf cart or work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the City unless such golf cart or work-site utility vehicle has liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, 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, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of golf carts and work-site utility vehicles.

SECTION 4. SAME; DISPLAY OF SLOW-MOVING VEHICLE EMBLEM. It shall be illegal to operate a golf cart or work-site utility vehicle 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.

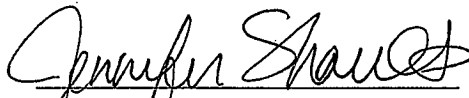
SECTION 5. SAME; REGISTRATION AND LICENSE; FEE; APPLICATION. (a) Before operating any golf cart or work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the City and each calendar year thereafter, the vehicle shall be registered with the City and a license shall be obtained and placed within the vehicle. The license fee shall be established per calendar year by the City, payable in advance to the City Clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be nontransferable.

(b) Proof of insurance, as required in section 14-504, shall be furnished at the time of application for registration.


SECTION 5. SAME; PENALTY. Unless specifically provided herein, a violation of this section 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, and amendments thereto, or such other similar provision as the City may then have in effect.

SECTION 6. PUBLICATION; EFFECTIVE DATE. This Ordinance repeals Sections 114.4 and 114.5 of the 2018 Standard Traffic Ordinance, repeals Ordinance No. 576, and shall take effect and be in force from and after its passage, approval, and publication once in the official City newspaper.

Passed by the Governing Body of the City of Towanda, this 15th day of February, 2019.


Mayor

ATTEST:



City Clerk

[SEAL]