

GENERAL ORDINANCE 3424

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF IOLA, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2013, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING PRIOR TRAFFIC ORDINANCES.

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

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 Iola, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2013, 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 copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance 3424," 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. 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. AMENDMENTS: Section 2 and Section 114.5 of the adopted Standard Traffic Ordinance for Kansas Cities (2013) are hereby amended as follows:

Section 2. Provisions of Ordinance Refer to Vehicles Upon the Streets and Highways and Other Designated Areas; Exceptions.

(a) The provisions of this Ordinance relating to the parking and other operation of vehicles refer exclusively to the parking and operation of vehicles upon streets and highways and upon any publicly owned property within this City except: (i) Where a different place is specifically referred to in a given section; (ii) The provision of Sections 29 to 31, inclusive, of this Ordinance, and the provision of Articles 10 and Chapter 8 of the Kansas Statutes Annotated, and any acts amendatory thereof, shall apply upon streets and highways and elsewhere throughout the City.

(b) As used above in subsection (a), the phrase "publicly owned property" shall mean property owned by the City of Iola or by an agency thereof or by any duly constituted public body within the City of Iola including, but not limited to, U.S.D. #257 School Board, the Iola Public Housing Authority Board, the Iola Library Board and Allen

County Community College.

Section 114.5 is amended to read as follows:

Section 1. OPERATION OF WORK-SITE UTILITY VEHICLES; PENALTY.

(a) Work-site utility vehicles may be operated upon the public highways, streets, roads, and alleys within the corporate limits of the city between sunrise and sunset. After sunset these vehicles will be permitted in a direct route from destination to home.

(b) No work-site utility vehicle shall be operated on any public highway, street, road, or alley unless such vehicle shall comply with the equipment requirements under the provisions of article 17, chapter 8 of the Kansas Statutes Annotated.

(c) No person shall operate a 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. This means no one under the age of 14 can individually operate any motorized vehicle on any public highway, street, road, or alley.

(f) 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, 2013 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

(g) Work-site utility vehicles shall not exceed 20 mph at any time.

(h) Every vehicle shall be equipped, maintained and operated so as to prevent excessive or unusual noise.

(i) A nuisance will be declared if a complaint has been made with the City of Iola and the operator upon conviction will be fined no less than \$100 for each violation and all applicable costs & fees incurred.

SECTION 3. SUPPLEMENTAL PROVISIONS: The adopted Standard Traffic Ordinance for Kansas Cities (2013) is hereby supplemented by adding thereto the following Article: ARTICLE 22, ADDITIONAL PROVISIONS, and by adding the following sections:

Section 206. Safety Patrol Drivers' Obedience to Signals Requested, When Speed Limitation.

(a) The Chief of Police shall empower the principals of public or private schools to designate students or other persons to use and operate official traffic control devices for the purpose of regulating and controlling traffic upon the public streets of the City in front of or near public or private schools under such laws or regulations as the Chief of Police may deem advisable.

(b) Where hand signs, signals or other warning devices are being used by persons for the purposes of regulating and controlling traffic as provided for in subsection (a) above, the driver of any motor vehicle upon the streets where such signs, signals or other warning devices are used shall bring the vehicle which he is driving to a complete stop when the signs signals or warning devices are being waived, held over the curb line or otherwise displayed so as to indicate a cessation of movement. The vehicle shall remain stationary while children are crossing the streets. When the signs, signals or other warning device is withdrawn, the driver of such vehicle may proceed at a lawful rate of speed past such school or such intersection.

Section 207. Through Truck Traffic. Through truck traffic is permitted on only those streets within the City of Lola which have been designated as state highways or federal highways. Use of any other streets in the city limits in the City of Lola by through truck traffic is not permitted. Violation of this Section shall be considered an unclassified traffic violation.

SECTION 4. DELETED PROVISIONS: The adopted Standard Traffic Ordinance for Kansas Cities (2013) is hereby amended by deleting the following : Article 5, Sections 24 and 27; Article 6, Sections 30 and 30.1.

SECTION 5. 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, as amended.

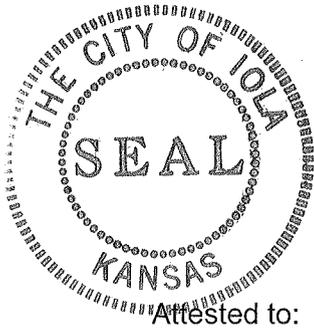
(b) All traffic violations which are included within this Ordinance, and which are not Ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION 6. PENALTY FOR SCHEDULED FINES: The fine for violation of an 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 \$42.50 nor more than \$500.00, except for speeding which shall not be less than \$76.50 nor more than \$500.00. 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 \$500.00.

SECTION 7. REPEAL: Ordinance 3408 and all ordinances in conflict herewith are hereby repealed.

SECTION 8. EFFECTIVE DATE: This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council and **SIGNED** by the Mayor this 26th day of August 2013.



CITY OF IOLA, KANSAS

By: _____

Joel Wicoff, Mayor

Attested to:

By: _____

Roxanne Hutton, City Clerk

(First Published in the Iola Register, August __, 2013)

ORDINANCE NO. 3424 SUMMARY

On August 25, 2013, the City of Iola, Kansas adopted Ordinance 3424, incorporating by reference the Standard Traffic Ordinance for Kansas Cities, 29th Edition, 2013 with certain additions, amendments and deletions thereto. The purpose of this ordinance is to provide a standardized and comprehensive ordinance to regulate traffic offenses within the jurisdiction of the City of Iola, Kansas. A complete copy of this ordinance is available at City Hall, 2 W. Jackson, Iola, Kansas or may be viewed on the City's website at www.cityofiola.com. This summary has been certified by Robert E. Johnson II, Iola City Attorney.