

(Summary Publish in the Leavenworth Times on October 1, 2021)

**ORDINANCE NO. 8176**

**AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES REGULATING TRAFFIC AND VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEAVENWORTH, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCES FOR KANSAS CITIES" 48<sup>th</sup> EDITION, WITH CERTAIN OMISSIONS AND CHANGES.**

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

**Section 1.** That the Code of Ordinances, City of Leavenworth, Kansas, Chapter 44, Traffic and Vehicles, Section 44-1, is hereby deleted in its entirety and amended to read as follows:

Sec. 44-1. Standard traffic ordinance adopted; amendments.

- (a) *Adoption.* There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the city that certain standard traffic ordinance known as the Standard Traffic Ordinance for Kansas Cities, 48<sup>th</sup> Edition, 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.
- (b) *Marked copies on file.* One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 8176" with all sections and 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 Ordinance No. 8176, and filed with the city clerk, to be open to inspection and available to the public at all reasonable business 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.
- (c) **Omitting.** Section 69(d): Article II, Pedestrians, of said Standard Traffic Ordinance relating to city permits for soliciting of contributions is hereby declared to be omitted and deleted.
- (d) **Amendments.** The standard traffic ordinance adopted in this section is adopted subject to the following local amendments:
  - (1) Article 14. Miscellaneous Rules, section 114.5, is amended as follows by, adding, (e):

Sec. 114.5. Unlawful Operation of a Work-Site Utility Vehicle

- (a) It shall be unlawful for any person to operate a work-site utility vehicle:
  - (1) On any interstate highway, federal highway, or state highway; or
  - (2) Within the corporate limits of any city unless authorized by such city.

- (b) Notwithstanding the provisions of subsection (a), work-site utility vehicles may be operated to cross a federal highway or state highway.
- (c) Notwithstanding the provisions of subsection (a)(1), persons engaged in agricultural purposes may operate a work-site utility vehicle on a federal highway or state highway under the following conditions:
  - (1) The operator of the all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license;
  - (2) The federal highway or state highway must have a posted speed limit of 65 miles per hour or less;
  - (3) The operator of the all-terrain vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and
  - (4) The purpose of the trip using the all-terrain vehicle must be for agricultural purposes.
- (d) No work-site utility 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. 8-15,109)
- (e) As provided by subsection (a) (2), it shall be unlawful to operate a worksite utility vehicle except for public safety and city maintenance staff within the corporate limits of the city.
- (2) Article 15. Operation of Bicycles, Motorized Bicycles, and Play Vehicles, section 135.1 is amended as follows by adding (e):

Sec. 135.1. Electric-Assisted Scooters, Traffic Law Application.

- (a) It shall be unlawful for any person to operate an electric-assisted scooter on any interstate highway, federal highway or state highway.
- (b) Notwithstanding the provisions of subsection (a), traffic regulations applicable to bicycles, Sections 127 to 133, inclusive, shall be applicable to electric-assisted scooters.
- (c) The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of electric-assisted scooters on any public highway, street or sidewalk within such city or county.
- (d) Except as otherwise provided in subsection (c), the provisions of subsection (a) shall not prohibit an electric-assisted scooter from crossing a federal or state highway. (2019 Kansas Laws Ch. 61(SB63))
- (e) As provided in subsection (c), "it is unlawful to operate or for the owner to permit the operation of an electric-assisted scooter upon a street, highway, public parking lot, or public parks area."

**Section 2. REPEAL.** Section 44-1 of Chapter 44, Traffic and Vehicles, of the Code of Ordinances of the City of Leavenworth, Kansas, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

**Section 3. 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 on this 28<sup>th</sup> day of September 2021.

/s/ Nancy D. Bauder  
Nancy D. Bauder, Mayor

{Seal}

ATTEST:

/s/ Carla K. Williamson  
Carla K. Williamson, CMC, City Clerk