

ORDINANCE NO. 926

AN ORDINANCE AMENDING AND REPLACING ORDINANCE NO. 885 AUTHORIZING OPERATION OF WORK-SITE UTILITY VEHICLES, GOLF CARTS, AND MICRO-UTILITY TRUCKS.

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

SECTION 1. LAWFUL OPERATION OF WORK-SITE UTILITY VEHICLES, GOLF CARTS, OR MICRO-UTILITY TRUCKS

Pursuant to the authority granted by K.S.A. 8-15,109, 8-15,106 and 8-15,108, work-site utility vehicles, golf carts, and micro-utility trucks may be lawfully operated on public highways and streets within the city upon compliance with all requirements of this ordinance.

SECTION 2. DEFINITIONS

Work-site utility vehicles, golf carts, micro-utility trucks, and all other words and phrases used in this ordinance shall have the same meaning and definition as set forth in corresponding state statutes, currently including K.S.A. 8-126, 8-1493, 8-1494, 8-1495, 8-15,109, 8-15,106, and 8-15,108.

SECTION 3. CITY LICENSE REQUIREMENT

It shall be unlawful for any person to operate a work-site utility vehicle, golf cart, or micro-utility truck upon any public highway or street within the city without first having obtained a city license to do so.

The owner of a work-site utility vehicle, golf cart, or micro-utility truck may apply for a license upon a form prescribed by the city which describes with particularity the specific work-site utility vehicle, golf cart, or micro-utility truck sought to be licensed. Upon receipt of a license application and an annual license fee of \$100.00, the Sedan City Hall shall issue a license for operation of the specific work-site utility vehicle, golf cart, or micro-utility truck within the city for a period of one calendar year beginning January 1 through December 31. There shall be no proration of the annual license fee. In addition to the license issued by the Sedan City Hall, the owner shall be issued a sticker which must be applied to the vehicle in a conspicuous location.

SECTION 4. RESTRICTIONS

Operation of work-site utility vehicles, golf carts, and micro-utility trucks upon public highways and streets within the city shall be subject to the following restrictions:

- a. The operation thereof shall only be between sunrise and sunset;
- b. The operator must be at least 18 years of age;
- c. The operator must have a valid Class C driver's license issued by the State of Kansas, or its equivalent issued by another state of the United States;
- d. The operator shall wear adequate eye protection at all times of operation;
- e. The operator shall have current liability insurance in place, and have proof of such insurance in his or her possession while operating the work-site utility vehicle, golf

cart, or micro-utility truck. The insurance coverage must be equal to that required of motor vehicles registered for operation on public highways and streets of the State of Kansas;

- f. The operator shall have in his or her possession while operating the work-site utility vehicle, golf cart, or micro-utility truck the license issued by the City and shall conspicuously display on the vehicle the sticker issued by the City.
- g. The operator shall obey all traffic laws, regulations, and ordinances;
- h. The operator shall not operate the work-site utility vehicle, golf cart, or micro-utility truck on Kansas Highway 99 as it passes through the city except to cross Kansas Highway 99 in a perpendicular fashion only;
- i. The work-site utility vehicle, golf cart, or micro-utility truck shall be equipped with an orange triangular pennant or flag affixed to the top of a flexible pole attached to the rear of such vehicle so that the top of the pole is not more than eight feet above street level and the bottom corner of the pennant or flag is at least four feet above the seat on such vehicle. The dimensions of the pennant or flag shall be no less than six inches wide by twelve inches long, and shall not exceed twelve inches wide by twenty-four inches long.
- j. With regard to a license for operation of a micro-utility truck only, no license shall be issued until such time as the micro-utility truck meets all equipment requirements under Article 17 of Chapter 8 of Kansas Statutes Annotated.

SECTION 5. SUSPENSION OR REVOCATION

The Governing Body may suspend or revoke the license for operation of a work-site utility vehicle, golf cart, or micro-utility truck under this ordinance, upon five days' written notice to the owner / license applicant thereof and with an opportunity to be heard, for noncompliance with or violation of any of the terms and conditions of this ordinance and corresponding state statutes and regulations pertaining to work-site utility vehicles, golf carts, or micro-utility trucks.

SECTION 6. APPEAL

The owner / license applicant, within thirty days after the order of the Governing Body suspending or revoking any license, may appeal to the district court as provided by K.S.A. 60-2101. Any appeal so taken shall not stay the order of suspension or revocation of the license nor shall any new license be issued for the work-site utility vehicle, golf cart, or micro-utility truck in question for a period of six months thereafter.

SECTION 7. PENALTY

Any violation of this ordinance shall be a traffic infraction punishable by a fine of not less than \$200.00 for the first violation, of not less than \$350.00 for the second violation, and not less than \$500.00 for the third and subsequent violation. The Municipal Court Judge shall also have the authority to suspend or revoke any license issued hereunder, depending on the seriousness of the offense.

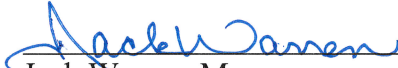
SECTION 8. REPEAL

All previous ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. EFFECTIVE DATE


This ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Sedan on the 25th of September, 2019.



Jack Warren, Mayor

Attest:



Sherry L. Miller, City Clerk