

CHAPTER XIV: TRAFFIC

Article

- 1. STANDARD TRAFFIC ORDINANCE**
- 2. LOCAL TRAFFIC REGULATIONS**
- 3. RESERVED**
- 4. HAZARDOUS MATERIALS**

ARTICLE 1: STANDARD TRAFFIC ORDINANCE

Section

- 14-101 Incorporating Standard Traffic Ordinance
- 14-102 Same; traffic infractions and traffic offenses
- 14-103 Penalty for scheduled fines

(b) All traffic violations that are included within this article, and are not ordinance traffic infractions as defined in division (a) above, shall be considered traffic offenses.
(Ord. 1011, passed 7-13-2017)

§ 14-101 INCORPORATING STANDARD TRAFFIC ORDINANCE.

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”, Edition of 2017, prepared and published in book form by the League of Kansas Municipalities. No fewer than three copies of said standard ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance 1011” and to which shall be attached a copy of this section, 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 said Standard Traffic Ordinance similarly marked, as may be deemed expedient.

(Ord. 1011, passed 7-13-2017)

§ 14-102 SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article 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.

§ 14-103 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 \$5 nor more than \$1,000, except for speeding which shall not be less than \$10 nor more than \$500. 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.

(Ord. 1011, passed 7-13-2017)

ARTICLE 2: LOCAL TRAFFIC REGULATIONS

Section

- 14-201 Traffic-control devices and markings
- 14-202 Parallel parking on certain streets
- 14-203 Truck routes
- 14-204 Special use vehicles on streets

§ 14-201 TRAFFIC-CONTROL DEVICES AND MARKINGS.

(a) The Standard Traffic Ordinance, as adopted, is hereby modified by adding thereto the following.

(b) The governing body may, by resolution, establish and fix the location of such traffic-control devices as may be deemed necessary to guide and warn traffic under the provisions of this chapter, other traffic ordinances and the state laws. The city shall place and maintain such traffic-control signs, signals and devices when and as may be required by the authority of the governing body to make effective the provisions of this chapter and other ordinances for the regulation of traffic. Any official traffic-control device placed pursuant to this section shall be marked and labeled on a map of the city for the purpose of displaying all such traffic-control devices and shall be filed with the City Clerk to be open to inspection and available to the public at all reasonable hours of business.

§ 14-202 PARALLEL PARKING ON CERTAIN STREETS.

(a) No owner or operator of any motor vehicle shall allow said vehicle to be parked in any manner on the following described streets in the city during snow storms or other emergency conditions, following declaration of such emergency and announcement thereof by the Mayor:

(1) Main Street south from U.S. Highway 36 to the south city limits of the city;

(2) Court Street from Armory Road east to its point of termination on the eastern boundary of the city;

(3) Kansas Avenue from Main Street east to the city limits;

(4) Second Street east from Main Street to School Avenue;

(5) School Avenue from Second Street to U.S. Highway 36;

(6) Third Street east from Main Street to School Avenue;

(7) Park Street north from Kansas Avenue to Second Street;

(8) Belmont Street north from Court Street to Kansas Avenue;

(9) A Street from 4th Street to 3rd Street;

(10) E Street from 4th Street to 3rd Street;

(11) East Parliament Street from Main Street to Madison Street;

(12) South Madison Street from Parliament Street to South City Limits Street; and

(13) South City Limits Street from Main Street to Madison Street.

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(b) Furthermore, when snowfall shall exceed two inches, and without the necessity of declaration of an emergency, parallel parking shall be required on the following streets:

(1) Main Street north from the railroad right-of-way to the intersection of First Street;

(2) Kansas Avenue east from Washington Street to Madison Avenue;

(3) Court Street east from Washington Street to Madison Avenue; and

(4) New York Street east from Main Street to Madison Street.

(c) The owner or operator of said vehicle shall be contacted by city personnel and shall be requested to move said vehicle, and if the owner or operator fails to remove said parked vehicle from the street, the owner or operator shall be in violation of this section and shall be punished as provided. In the event that the owner or operator of said parked vehicle cannot be located or if the owner or operator of said vehicle refuses to move the vehicle, the vehicle shall be towed off of said street at the expense of the owner or operator, and the owner or operator shall be deemed in violation of this section.

(d) Any person violating this section, upon having been found guilty, shall pay a fine of not more than \$100.

(Ord. 946, passed 2-10-2005)

§ 14-203 TRUCK ROUTES.

(a) The following streets are hereby designated as truck routes in the city:

(1) White Rock from U.S. Highway 36 to Shelton Drive;

(2) Argus Street from White Rock to Monroe Street;

(3) Monroe Street from U.S. Highway 36 to Argus Street;

(4) Monroe Street from Francis Street to South City Limits;

(5) Main Street from South City Limits to U.S. Highway 36;

(6) D Street from U.S. Highway 36 to Elm Street;

(7) Elm Street from D Street to Jefferson Street;

(8) Jefferson Street from Elm Street to U.S. Highway 36;

(9) B Street from K Street to U.S. Highway 36;

(10) K Street from B Street to U.S. Highway 36;

(11) K Street from B Street to A Street;

(12) A Street from U.S. Highway 36 South to K Street;

(13) School Avenue from Highway 36 South to north entrance of School parking lot;

(14) First Street from Washington Street to Main Street;

(15) Fifth Street from Main Street to Monroe Street;

(16) Kansas Street from Monroe Street to East City Limits;

(17) Court Street from Armory Road to Brandon Street;

(18) New York Street from Armory Road to Jefferson Street;

(19) Amory Road from Court Street to South City Limits;

(20) Brandon Street from Court Street to railroad right-of-way;

(21) Jefferson Street from Court Street to railroad right-of-way;

(22) The portion of the unnamed street running long the northern portion of the railroad right-of-way between Jefferson Street and Brandon Street;

(23) Madison Street from Kansas Avenue south to the railroad right-of-way;

(24) Frances Street from Main Street to Jefferson Street;

(25) Madison Street from Francis Street north to railroad right-of-way;

(26) Grant Street from Francis Street north to railroad right-of-way;

(27) Jefferson Street from Francis Street north to railroad-right-of-way; and

(28) All of the portion of the road designated as South City Limits Street.

(b) It shall be unlawful for any person to drive, pull or operate any truck or vehicle having a gross weight in excess of 26,100 pounds on any paved, macadamized or hard surfaced street located in and maintained by the city, except those streets specifically designated as truck routes.

(c) It shall be unlawful to park any vehicle having a gross weight in excess of 12,000 pounds (six tons) on all but the following streets, unless such vehicle is in the process of being loaded or unloaded:

(1) Main Street from Kansas Avenue to First Street;

(2) Kansas Avenue from Washington Street to Madison Street;

(3) Court Street from Washington Street to Madison Street;

(4) New York Street from Washington Street to Madison Street; and

(5) Main Street from New York Street South to the railroad right-of-way.

(d) The Superintendent for the city is hereby authorized and directed to clearly mark the routes described in division (a) above with "Truck Route" signs of standard design and erect suitable signs at or near the various terminals of said route informing traffic that trucks over 26,100 pounds gross weight must follow the marked route; and the City Administrator is further authorized and directed to post signs on all streets intersecting the city limits that through truck traffic in excess of 26,100 pounds gross weight is prohibited.

(e) Any person or entity violating this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject of a fine not less than \$250, nor more than \$1,000 and, in the event that such unlawful use of the city streets by such vehicle shall cause damage to such streets, the Municipal Court may order such person or entity violating this section to pay restitution to the city for the cost of the repair of such streets so damaged.
(Ord. 961, passed 5-10-2007)

§ 14-204 SPECIAL USE VEHICLES ON STREETS.

(a) *Definitions.* For the purpose of this section, **GOLF CART, ALL-TERRAIN VEHICLES, WORK-SITE UTILITY VEHICLE,** and **MICRO UTILITY TRUCK** shall have the same meaning as set forth in K.S.A. 8-126, as amended, and shall hereinafter be abbreviated as GC, ATV, WUV, and MUT, respectively, and shall collectively be referred to as special-use vehicles (SUV). A sport all-terrain vehicle (SATV) is an ATV with a dry weight of 1,000 pounds or less, with four wheels and manufactured and equipped with some or all of the following: high fenders, no driving lights, no turn signals, no brake lights, no rack, loud exhaust or no muffler(s) and two-wheel drive. For purposes of this section, a

SPORT ALL-TERRAIN VEHICLE shall not be considered an all-terrain vehicle (ATV) or a special use vehicle.

(b) *Operation prohibited; exceptions.* No SATV may be operated on the streets and alleys of the city. No SUV may be operated on the streets and alleys of the city except upon the following terms, conditions and requirements:

(1) A SUV may only be operated upon the streets and alleys of the city by persons 18 years of age or older holding a valid driver's license issued by the state or another state, and if such driver's license is subject to restrictions, limited use provisions or other conditions limiting such driving privileges, such special use vehicle may only be operated in the city in accordance with such restrictions, limited use provisions or other terms and conditions.

(2) Every SUV being operated within the city shall be equipped with a bicycle safety flag which extends not less than five feet above the ground and is attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow orange in color.

(3) No SUV shall be operated upon the streets or alleys of the city unless covered with a policy of liability insurance insuring said vehicle and the driver thereof while being operated upon a city street or alley as required in Section 200 of the 2009 Standard Traffic Ordinance, and amendments thereto. The owner or driver operating such special-use vehicle in the city shall provide proof of insurance at the time of each registration of such SUV as hereinafter required or within 72 hours of a request for such proof by a city law enforcement officer.

(4) Unless being used in a parade authorized by the city, no SUV shall be operated upon the streets and alleys of the city until such vehicle has been registered with the city. Such registrations shall be handled by the Clerk or Treasurer of the city. The application for registration shall contain the name and address of the owner, the make, model, year and serial number, if available, of the SUV, and such

other information as required by said Clerk or Treasurer. The application shall be signed by the owner or owner's spouse. The fee for such registration shall be \$25 each year, and such registration shall be renewed each succeeding January. The full amount of the registration fee shall be due regardless of the time of the year when the registration is issued. The registration shall not be transferrable, and if the registered vehicle is sold or exchanged, its registration is automatically revoked. At the time of initial registration of such vehicle, said Clerk or Treasurer shall issue a registration decal, tag or other indicia of registration as may be selected by the Clerk or Treasurer, which indicia of registration shall be prominently and visibly displayed on the rear of the SUV. Should such indicia of registration be lost or become illegible, the owner shall obtain a replacement therefor, which shall be issued upon payment of a reasonable charge as determined by the Treasurer. A copy of this section shall be offered to the registrant each time the SUV is registered.

(5) Operation of a SUV within the city shall be subject to all of the provisions of the Uniform Traffic Code in effect in the city at the time of such operation, and violators shall be subject to the fines and other punishments prescribed thereunder. Citations for violation of such traffic laws shall be issued upon the same form and in the same manner, as used to charge violation of such ordinance by operators of other motor vehicles.

(6) No such SUV may be operated upon any state or federal highway within the limits of said city at any time; provided, however, that a SUV may cross any such state or federal highway perpendicular to said highway but only at places where city streets intersect said highway.

(7) A SUV is entitled to the full use of a lane of traffic, and no other vehicle shall be driven in such a manner as to deprive a SUV of the full use of a lane.

(8) The operator of a SUV shall not overtake and pass another vehicle in the same lane being occupied by the vehicle being overtaken.

(9) No person shall operate a SUV between lanes of traffic or between adjacent rows or lines of vehicles.

(10) An ATV may not be operated more than two abreast in a single lane. Any other kind of SUV shall be operated only in a single lane of traffic.

(11) No person riding upon a SUV shall attach any such rider, or the SUV itself, to any other vehicle while the SUV is being operated on a street or alley in the city. No person operating a SUV shall permit any person to attach herself or himself, of the purpose of towing such person, to the SUV.

(12) No person shall operate a SUV while carrying any package, bundle, cell phone or other object that prevents the operator from keeping both hands on the steering wheel, handlebars or other steering mechanism.

(13) Operation of an all-terrain vehicle (ATV) shall be subject to the following special terms and conditions:

(A) An ATV may be operated on any such street or alley only during the hours between sunrise and sunset, unless equipped with lights as required by state law for motorcycles.

(B) A person operating an ATV in the city shall ride only upon the permanent and regular seat attached thereto, and such operator shall not permit any other person nor shall any other person ride on an ATV, unless such ATV is designed to carry more than one person, in which case the passenger shall ride only upon said permanent and regular seat if such seat is designed to two persons, or upon another seat firmly and permanently attached to such ATV at the rear or the side of the operator.

(C) A person shall ride on an ATV only while sitting astride the seat, facing forward, with one leg on each side of the ATV.

(D) No person under the age of 18 years may ride on any ATV unless wearing a helmet that complies with the requirements of the National Highway Traffic Safety Administration.

(E) No person shall operate or ride on an ATV unless such person is wearing protective glasses, goggles, or transparent face shields that are shatter proof and impact resistant, except the operator is exempt from this requirement if the ATV is equipped with a shatter proof and impact resistant windscreen that has a minimum height of ten inches as measured from the center of the handlebars.

(14) Operation of a WUV or MUT shall be subject to the following special terms and conditions:

(A) A WUV or MUT may be operated on any such street or alley only during the hours between sunrise and sunset, unless the WUV or MUT complies with the equipment requirements set forth in K.S.A. Chapter 8, Article 17 and amendments thereto.

(B) Passengers may ride in or on a WUV or MUT only if said WUV or MUT is designed to carry passengers and then only while seated in regular seating firmly and permanently attached to the WUV or MUT.

(C) No person under the age of 18 years may ride on any WUV or MUT unless wearing a helmet that complies with the requirements of the National Highway Traffic Safety Administration, unless the WUV or MUT is equipped with a roll bar and seat belts, and such seat belts are buckled and being used as designed by the occupants under 18 years of age.

(D) No person shall operate or ride on a WUV or MUT unless such person is wearing protective glasses, goggles, or transparent face shields that are shatter proof and impact resistant, unless the WUV or MUT is equipped with a shatter proof and impact resistant windscreen or windshield which adequately protects the heads and necks of the occupants.

(15) Operation of a golf cart (GC) shall be subject to the following special terms and conditions:

(A) A GC may be operated upon said streets and alleys only during the hours between sunrise and sunset.

(B) Passengers may ride in or on a GC only if said GC is designed to carry passengers and then only while seated in regular seating firmly and permanently attached to the GC.

(C) No person under the age of 18 years may ride on any GC unless wearing a helmet that complies with the requirements of the National Highway Traffic Safety Administration, unless the GC is equipped with a roll bar and seat belts, and such seat belts are buckled and being used as designed by the occupants under 18 years of age.

(D) No person shall operate or ride on a GC unless such person is wearing protective glasses, goggles, or transparent face shields that are shatter proof and impact resistant, unless the GC is equipped with a shatter proof and impact resistant windscreen or windshield which adequately protects the heads and necks of the occupants.

(c) *City employees; exception.* Nothing in this section shall prohibit any city employee from operating or riding upon a SUV owned, leased or borrowed by the city, while such employee is engaged in the performance of their duties for the city.

(d) *Fines and penalties.* Violation of any of the provisions section shall constitute a misdemeanor and upon conviction, shall be punished by a fine of at least \$50, but not to exceed \$100. A second conviction of such violation shall be punished by a fine of at least \$100, but not to exceed \$250, and, in addition, the Municipal Judge may suspend the defendant's privileges to operate a special-use vehicle on the streets and alleys of city for a period of up to one year. A third conviction of the violation of this section shall result in a fine of at least \$500, but not to exceed \$1,000, and, in addition, the defendant's privileges to operate a special use vehicle upon the streets and alleys of the city shall be permanently revoked. Each day or separate occasion a person operates a special

use vehicle in violation of this section shall be considered as a separate offense.

(Ord. 981, passed 1-1-2010)

Cross-reference:

Streets generally, see Ch. XIII, Art. 2

ARTICLE 3: RESERVED

ARTICLE 4: HAZARDOUS MATERIALS

Section

- 14-401 Hazardous material defined
- 14-402 Same; exceptions
- 14-403 Transportation of hazardous materials
- 14-404 Hazardous materials routes
- 14-405 Parking of vehicles or trailers carrying hazardous materials
- 14-406 Removal of illegally parked trailers

§ 14-401 HAZARDOUS MATERIAL DEFINED.

As used in this article, the term *HAZARDOUS MATERIAL* shall mean any material or combination of materials that, because of its quantity, concentration or physical, chemical, biological or infectious characteristics, poses a substantial present or potential hazard to human health or safety or the environment if released into the workplace or environment or when improperly treated, stored, transported or disposed of or otherwise managed.

§ 14-402 SAME; EXCEPTIONS.

The provisions of this article shall not apply to any container that shall have a capacity of 150 gallons or less that shall be used for the purpose of supplying fuel for the vehicle on which it is mounted. These provisions shall also not apply to vehicles, trailers, containers or tanks containing anhydrous ammonia or other material primarily used by farmers for fertilizer purposes when such vehicles, trailers, containers or tanks are parked or housed upon property designated for the placement of such vehicle, trailer, container or tank by any farmers cooperative, elevator company or farm supply store located within the city limits.

§ 14-403 TRANSPORTATION OF HAZARDOUS MATERIALS.

Except as provided in § 14-404, it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city.

§ 14-404 HAZARDOUS MATERIALS ROUTES.

The provisions of § 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public rights-of-way within the city, except those specified within this section where transportation of hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the streets, avenues, highways or roadways as determined by the city.

§ 14-405 PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS.

(a) Except as provided in divisions (b) and (c) below, it shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material within any city zoning districts as defined in Chapter XVI of this code.

(b) Division (a) above shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour

where such vehicles, trailers or semi-trailers are parked along those routes specified in § 14-404 of this code.

(c) Division (a) above shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation.

**§ 14-406 REMOVAL OF ILLEGALLY
PARKED TRAILERS.**

If any vehicle, trailer or a semi-trailer is found parked in violation of the provisions of this article, the Fire Chief or Assistant Chief or any law enforcement officer may require the owner, operator or lessee of the trailer to move it within two hours. If such removal is not accomplished on the order of any such officer, it may be accomplished by any such officer, by any reasonable means, if the continued presence of the trailer or semi-trailer at its parked location constitutes, adds to or prevents correction of a situation threatening imminent injury or damage to persons or property.