

**ORDINANCE NO. 11-805**

**AN ORDINANCE AMENDING SECTION 114.5 OF THE STANDARD TRAFFIC ORDINANCE, 38<sup>TH</sup> EDITION, ADOPTED BY THE CITY OF SOUTH HUTCHINSON, KANSAS BY REFERENCE BY ORDINANCE NO 10-792 ON THE 7<sup>TH</sup> DAY OF SEPTEMBER, 2010; PROVIDING FOR THE OPERATION OF WORK-SITE UTILITY VEHICLES IN THE CITY OF SOUTH HUTCHINSON, KANSAS**

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

**SECTION 1.** That Section 114.5 of the Standard Traffic Ordinance, 38<sup>th</sup> Edition, adopted by reference by the City Council for the City of South Hutchinson, Kansas is hereby amended to read as follows:

Section 114.5 (1) OPERATION OF WORK-SITE UTILITY VEHICLES. (a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate city limits of the city.

(b) No work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise. Further, no work-site utility vehicle shall be operated on any interstate highway, federal highway, state highway or on Main Street or Blanchard Street west of Main Street in the city. However, that nothing herein shall prohibit work-site utility vehicles from crossing such roadways.

(c) Every person operating a work-site utility vehicle on the public highways, streets, roads and alleys of the city shall be subjected to all of the duties applicable to a driver of a vehicle imposed by law.

(2) SAME; VALID DRIVER'S LICENSE REQUIRED; PENALTY. 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. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(3) SAME; DEFINITION. "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 site-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.

(4) SAME; PENALTY. Unless specifically provided herein, a violation of this ordinance 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, 2010 Standard Traffic

Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

(5) SAME; OPERATION OF WORK-SITE UTILITY VEHICLES. No person under the age of 18 years shall operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city.

(6) SAME; INSURANCE REQUIRED; PENALTY. (a) Every owner of a work-site utility vehicle shall provide liability coverage in accordance with Section 200 of the 2010 Standard Traffic Ordinance, and amendments thereto; and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of Section 200 of the 2010 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of work-site utility vehicles.

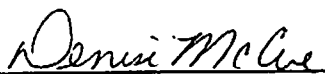
(7) SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; PENALTY. Before operating any work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made to the City Clerk upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable.) Proof of insurance, as required in Section 6 shall be furnished at the time of application for registration. The annual registration fee for a work-site utility vehicle shall be \$50.00. 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 non-transferable. The City shall be exempt from payment of the registration fee.

**SECTION 2.** That this Ordinance shall be in full force and effect from and after its passage and publication once in the official City newspaper.

**PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS THIS 20<sup>th</sup> DAY OF JUNE, 2011.**

  
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Weldon Cook, Mayor

ATTEST:

  
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Denise McCue, City Clerk