

TRAFFIC AND MOTOR VEHICLES CHAPTER 13

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State law references-Motor vehicles, K.S.A. 8-301 et seq.; traffic rules and regulations, K.S.A. 8- 1401 et seq.; local regulations, K.S.A. 8-2001, 8-2002, 8-2005.

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ARTICLE I. STANDARD TRAFFIC ORDINANCE

Sec. 13-101 Standard Traffic Ordinance.

There is hereby adopted and incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Ottawa, Kansas, that certain traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 2001, 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 (3) copies of the Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3371-01 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 such adopting 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 City's expense, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

REVISED: (*Ord. No. 2893-88, 08-21-91; Ord. No. 2920-89, 09-11-89; Ord. No. 2924-89, 09-22-89; Ord. No. 2948-90, 06-20-90; Ord. No. 2955-90, 09-19-90; Ord. No. 3015-92, 01-15-92; Ord. No. 3074-93, 08-18-93; Ord. No. 3180-96, 03-20-96; 3244-97, 09-17-97; 3295-98, 09-16-98; 3332-99, 11-03-99; 3349-00, 08-16-00; 3371-01, 07-18-01*)

State law reference-Codes, etc., adopted by reference, K.S.A. 12-3009 et seq.

Sec. 13-102 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.
- B. All traffic violations which are included within this article, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

REVISED: (*Ord. No. 3180-96, 03-20-96*)

Sec. 13-103 Careless Driving.

It shall be unlawful for any person to drive, operate, halt or attempt to operate a vehicle upon the streets, highways or alleys of the City in a careless, heedless, or inattentive manner, or without due regard or caution or circumspection, or in a manner not constituting the degree of reckless driving, but so as to endanger any person or property. The fine for violation of this ordinance shall be not less than forty dollars (\$40.00) nor more than six hundred (\$600.00).

REVISED: (*Ord. No. 3180-96, 03-20-96*)

Sec. 13-104 Limited time parking zones; penalties.

- A. Whenever any appropriate sign shall be placed and maintained in any block by lawful authority of the City giving notice that the street or highway or City-owned parking lot may be used for parking or standing vehicles for a limited time only, it shall be unlawful for any person to fail or refuse to comply with such sign.

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- B. Violation of subsection (A) shall be punishable by a fine of not less than three dollars (\$3.00) and not more than twenty-five dollars (\$25.00).

REVISED: (*Ord. No. 3180-96, 03-20-96*)

Sec. 13-105 Severability.

If any provision of this code is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the code and the applicability thereof to other persons and circumstances shall not be affected thereby.

REVISED: (*Ord. No. 3180-96, 03-20-96*)

Sec. 13-106 Same-Business District defined.

For the purpose of the Standard Traffic Ordinance adopted in herein, whenever the phrase “Business District” is used, it shall be defined as follows:

<u>Street</u>	<u>From</u>	<u>To</u>
Hickory Street	1 st Street	5 th Street
Main Street	Tecumseh Street	5 th Street
Walnut Street	1 st Street	5 th Street
1 st Street	Walnut Street	Cedar Street
2 nd Street	Walnut Street	Cedar Street
3 rd Street	Walnut Street	Cedar Street
4 th Street	Walnut Street	Cedar Street
5 th Street	Walnut Street	Cedar Street

REVISED: (*Ord. No. 3071-93, 07-07-93; Ord. No. 3533-05, 11-16-05*)

Cross reference-Definitions and rules of construction generally, § 1-101; 1-102.

Sec. 13-107 Penalty for scheduled fines.

The fine for violation of an ordinance infraction traffic or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than forty dollars (\$40.00) nor more than six hundred dollars (\$600.00). 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 six hundred dollars (\$600.00).

REVISED: (*Ord. No. 3180-96, 03-20-96*)

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ARTICLE II. LOCAL REGULATIONS

Sec. 13-200 Bicycle, unlicensed motorized vehicle or skateboard riding and roller skating prohibited in downtown business district; exception; penalty

- A. It shall be unlawful to operate the following on the City sidewalks, as defined in this ordinance:
 - 1. Bicycles;
 - 2. Skateboards;
 - 3. Roller skates or similar devices;
 - 4. Unlicensed motorized vehicles;
 - 5. Vehicles similar to a bicycle, skateboard, roller skates, or unlicensed motorized vehicles.

- B. The above prohibition does not apply to the following:
 - 1. Children under 13 years of age when supervised by a parent or guardian so long as the child is operating a bicycle, skateboard or roller skates, or similar device.
 - 2. Law enforcement officers on official business may operate any vehicle they deem appropriate.

- C. For the purposes of the above prohibition, the downtown business district is defined as follows.
 - 1. The west side of Cedar St. to the east side of Walnut St., the south side of 5th St. to the north side of the Marais Des Cygnes River.

- D. Violation of this section is a misdemeanor, punishable by a fine not to exceed \$100.00.

REVISED: (*Ord. No. 2911-89, 05-17-89; Ord. No. 2979-91, 08-07-91; Ord. No. 3477-04, 08-04-04*)

Sec. 13-201 Unauthorized vehicle on flood protection project.

It shall be unlawful for any person to drive or operate an unauthorized motor vehicle upon the levee system of the flood protection project within the City.

(Code 1982)

Sec. 13-202 Speed of railroad trains.

It shall be unlawful for any person to operate any railroad train, engine or car upon, along or across any street, alley or ground within the corporate limits of the City at a speed greater than twenty (20) miles per hour.

(Code 1982)

Cross reference-Streets and Sidewalks, Ch. 70.

State law references-Railroad speeds, K.S.A. 12-1633, 66-165; railroad obstructing street, K.S.A. 66-273, 66-274.

Changed: 08-04-04

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Sec. 13-203 Truck routes.

- A. Trucks (except pick-up trucks, 1 ton payload and under) longer than twenty feet (20') or heavier than twelve thousand (12,000) pounds (6 tons) are prohibited from traveling on streets and alleys within the corporate limits of the City of Ottawa not designated herein as Truck Routes. Designated Truck Routes are:

<u>Truck Route</u>	<u>From</u>	<u>To</u>
K-68 Highway	West city limits	East city limits
U.S. 50 Highway	17 th Street	South city limits
U.S. 59 Highway	North city limits	South city limits
15 th Street	Main Street/U.S. 59	East city limits
17 th Street	West city limits	Main Street/U.S. 59
23 rd Street	West city limits	East city limits
Davis Avenue	North city limits	Logan Street/K-68
Dundee Street	Main Street/U.S. 59	Mulberry Street
Industrial Avenue	Davis Avenue	North Street
North Locust Street	Tecumseh Street	Wilson Street
Mulberry Street	North Street	Dundee Street
North Street	Mulberry Street	Davis Avenue
Tecumseh Street	North Locust Street	Main Street/U.S. 59
Wilson Street	West city limits	Main Street

(Code 1982)

Sec. 13-204 Pick-up, delivery and service access permitted.

This shall not apply to any truck when on the most accessible route to/from a pick-up or delivery, or to provide a service at a specific location. No truck shall remain in a location not designated as a truck route for pick-up, delivery or service access for a period longer than two (2) hours.

Sec. 13-205 Truck parking not permitted in Central Business District.

Truck parking shall not be permitted in the Central Business District (CBD). This prohibition includes trailers/semi-trailers, garage service cars, tractors, farm implement/machinery, and vehicles for sale (new or used). This parking prohibition shall not apply to vehicles actively engaged in loading/unloading. Exceptions to this section may be granted by the Chief of Police or designate when justified (e.g. moving vans loading/unloading, etc.).

REVISED: *(Ord. No. 3299-98, 10-21-98)*

Sec. 13-206 One-way streets and alleys.

- A. For the purpose of establishing streets in which travel is permitted only in one direction, the following streets and the direction of travel permitted thereon are designated, when signs are erected, giving notice thereof.

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<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction Permitted</u>
Princeton Circle Dr.	230 feet South of 17 th St.	400 feet North of 23 rd St.	South
Princeton Street	400 feet North of 23 rd St.	19 th Street	North
Princeton Terrace	19 th Street	230 feet South of 17 th St.	North
Tremont Avenue	7 th Street	8 th Street	South
Walnut Street	5 th Street	7 th Street	South

- B. For the purpose of establishing alleys in which traveling is permitted only in one direction; the following alleys and the direction of travel permitted are designated, when signs are erected giving notice thereof.

<u>Alley Between</u>	<u>From</u>	<u>To</u>	<u>Direction Permitted</u>
Cedar and Hickory Streets	4 th Street	5 th Street	North
Main and Hickory Streets	1 st Street	5 th Street	South
Walnut and Main Streets	1 st Street	5 th Street	North
Willow St. and Tremont Ave.	7 th Street	8 th Street	North

REVISED: (*Ord. No. 3071-93, 7-7-93; Ord. No. 3374-01, 08-15-01; Ord. No. 3641-07, 09-05-07; Ord. No. 3652-07, 10-03-07*)
 Changed: 01-14-08

Sec. 13-207 Moving of building or structure; permit required.

Any person or firm who wishes to move a house or other building that affects City Utilities or other City services must first apply for a permit from the Inspection Department of the City of Ottawa, Kansas. Existing section has been repealed and supplanted by Chapter 6, Section 6-722.

REVISED: (*Ord. No. 2962-90, 12-27-90; Ord. No. 3358-00, 12-20-00*)

Sec. 13-208 Right of police to inspect vehicle for safety purposes.

Any member of the Police Department shall have the right to stop any vehicle within the City in order to inspect such vehicle for safety purposes. Failure to allow such inspection is unlawful.

REVISED: (*Ord. No. 2962-90, 12-27-90*)

Sec. 13-209 Windshield required.

It shall be unlawful to operate a motor vehicle without a front windshield in the City.

(*Code 1982*)

State law reference-Requirements regarding windshields, K.S.A. 8-1741.

Sec. 13-210 School zones.

For the purpose of establishing a 20 mile per hour speed limit in the vicinity of schools, areas bounded by (and including) the following are designated as school zones during the times as posted therein:

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<u>School</u>	<u>Street</u>	<u>From</u>	<u>To</u>
<i>OHS/OMS</i>	11 th Street	Ash Street	Pine Street
	13 th Street	Pine	Ash Street
	Ash Street	10 th Street	13 th Street
<i>Eisenhower Grade School</i>	Ash Street	13 th Street	15 th Street
	15 th Street	Willow Street	Olive Street
<i>Eugene Field Grade School</i>	Tremont Street	7 th Street	8 th Street
	Willow Street	7 th Street	8 th Street
	7 th Street	Elm Street	Willow Street
	8 th Street	Tremont Street	Willow Street
<i>Garfield Grade School</i>	College Street	12 th Street	13 th Street
	Mulberry Street	12 th Street	13 th Street
	12 th Street	College Street	Mulberry Street
	13 th Street	College Street	Mulberry Street
<i>Lincoln Grade School</i>	Milner Street	Grant St.	Enterprise St.
<i>Sacred Heart Grade School</i>	5 th Street	Hickory Street	Cedar Street
	Cedar Street	4 th Street	5 th Street

REVISED: (Ord. No. 3200-96, 11-6-96; Ord. No. 3352-00, 9-20-00; Ord. No. 3607-06, 12-6-06; Ord. No. 3651-07, 10-03-07)

Changed: 01-14-08

State law reference-Authority to establish 20 mph speed limits in school zones, K.S.A. 8-1560(a)(3).

Sec. 13-211 Speed zones.

- A. For the purpose of establishing maximum speed limits other than those specified for districts or locations by the Standard Traffic Ordinance, the maximum speed limits (in miles per hour) for streets shall be as follows:

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<u>Street</u>	<u>From</u>	<u>To</u>	<u>Mph Speed Limit</u>
Davis Avenue	Logan Street/K-68 Hwy	North city limits	40
Eisenhower Avenue	Main Street/Old 50	West City Limits	45
Logan Street/K-68 Hwy	Mulberry Street	Spruce Street	40
Logan Street/K-68 Hwy	Spruce Street	East city limits	50
K-68 Highway	Locust Street/K-68 Bridge	West City limits	40
Main Street/U.S.50 Hwy	17 th Street	South city limits	50
Main Street/U.S.59 Hwy	Dundee Street	North city limits	40
Princeton Street	South city limits	19 th Street	40
Princeton Terrace	19 th Street	17 th Street	40
Princeton Circle Drive	17 th Street	23 rd Street	40
23 rd Street	Main Street/Old 50	West City Limits	45

- B. When Work Zones are established within public rights-of-way, the City shall have the authority to establish a 20 mph speed limit within the Work Zone. A Work Zone Speed Limit shall be established by posting signs. Any driver in violation of the 20 mph speed limit in a Work Zone shall be fined in an amount equal to double the normal fine, with a minimum of fifty dollars (\$50) in addition to any other fine(s) that may result from the violation.
- C. The maximum speed limit for alleys within the area defined as the Central Business District shall be ten miles per hour (10 mph). The Central Business District is defined in Sec. 13-106 of the Ottawa Municipal Code.
- D. Appropriate signs shall be installed and maintained for above stated restrictions.

REVISED: (Ord. No. 3071-93, 07-07-93; Ord. No. 3240-97, 08-20-97; Ord. No. 3267-98, 05-06-98; Ord. No. 3492-04, 12-15-04; Ord. No. 3524-05, 10-05-05) Changed: 7-28-06

Sec. 13-212 Through streets designated.

In order to establish right-of-way, streets herein are designated as through streets. Following is a list designating through streets at which traffic from intersecting streets is required to **STOP**, except where other traffic control measures (e.g. traffic signal lights, STOP signs, etc.) are authorized and in place. A 4-Way (All-Way) STOP or traffic light shall be in place where two through streets cross.

<u>Through Streets</u>	<u>From</u>	<u>To</u>
K-68 Highway	West city limits	East city limits
US 50 Hwy. (Main Street)	17 th Street	South city limits
US 59 Hwy.	North city limits	South city limits
1 st Street	Willow Street	Mulberry Street
2 nd Street	Beech Street	Cedar Street
3 rd Street	Walnut Street	Cedar Street
3 rd Street	Cedar Street	Cherry Street
4 th Street	Walnut Street	Cedar Street
5 th Street	Ash Street	Cedar Street
5 th Street	Cedar Street	Cherry Street
7 th Street	Eisenhower Road	Cedar Street
7 th Street	Cedar Street	Liberty Street
9 th Street	Willow Street	Cedar Street
9 th Street	Cedar Street	Lincoln Street
10 th Street	Willow Street	Main Street
11 th Street	Beech Street	Willow Street

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11 th Street	Willow Street	Main Street
<u>Through Streets</u>	<u>From</u>	<u>To</u>
11 th Street	Cedar Street	Burrough Street
13 th Street	Eisenhower Road	Ash Street
13 th Street	Cedar Street	Mulberry Street
15 th Street	West city limits	East city limits
17 th Street	Eisenhower Road	Princeton Street
19 th Street	West city limits	Elm Street
23 rd Street	West city limits	East city limits
Ash Street	2 nd Street	7 th Street
Ash Street	7 th Street	15 th Street
Cedar Street	1 st Street	15 th Street
Beech Street	2 nd Street	7 th Street
Cherry Street	3 rd Street	7 th Street
Cherry Street	North Street	Wilson Street
Cherry Street	Wilson Street	Logan Street/K-68
Davis Avenue	North city limits	Logan Street/K-68
Dundee Street	Main Street	Mulberry Street
Eisenhower Street	K-68	Interstate 35
Elm Street	17 th Street	19 th Street
Hickory Street	1 st Street	7 th Street
Lincoln Street	7 th Street	15 th Street
Locust Street	2 nd Street	7 th Street
Locust Street	Wilson Street	Tecumseh Street
Logan Street	Main Street	Oak Street
Mulberry Street	7 th Street	15 th Street
Mulberry Street	North Street	Wilson Street
North Street	Mulberry Street	Davis Avenue
Red Jacket Street	Main Street	Cherry Street
Tecumseh Street	Locust Street	Main Street
Walnut Street	Marais des Cygnes River	7 th Street
Willow Street	7 th Street	15 th Street
Wilson Street	West city limits	Main Street
Wilson Street	Main Street	Davis Avenue

REVISED: (Ord. No. 3328-99, 09-01-99; Ord. No. 3329-99, 10-20-99)

Sec. 13-213 STOP sign locations.

Other STOP sign locations. In addition to STOP sign control established in "Through Streets" (this chapter), public intersections listed below are established as STOP sign controlled locations, with the direction of travel required to STOP shown.

<u>Street</u>	<u>At Intersection with</u>	<u>Travel direction(s) required to STOP</u>
2 nd Street	Beech Street	West
5 th Street	Poplar Street	All Way
8 th Street	Hickory Street	East/West
8 th Street	Tremont Avenue	All Way
12 th Street	College Street	All Way
Beech Street	2 nd Street	North
Blackhawk Street	Hemlock Street	East/West
Cedar Street	Massasoit Street	All Way
Cedar Street	Red Jacket Street	All Way
Cypress Street	9 th Street	North/South
Cypress Street	10 th Street	North/South

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<u>Street</u>	<u>At Intersection with</u>	<u>Travel direction(s) required to STOP</u>
Grant Street	Oak Street	East/West
Grant Street	Sycamore Street	East/West
Hickory Street	10 th Street	North/South
Hickory Street	11 th Street	North/South
Hickory Street	14 th Street	North
Hickory Street	Grant Street	North/South
Hickory Street	Powhattan Street	North/South
King Street	22 nd St. parking lot	North
Massasoit Street	Hickory Street	East/West
Mulberry Street	4th Street	North/South
Oak Street	Powhattan Street	All Way
Oak Street	2nd Street	North/South
Poplar Street	4th Street	North/South
Powhattan Street	Mulberry Street	East/West
Powhattan Street	Sycamore Street	East/West

REVISED: (Ord. No. 3328-99, 09-01-99; Ord. No. 3450-03, 07-16-03; Ord. No. 3507-05, 5-4-05)
Changed 7-18-05

Sec. 13-214 Stop signs at private parking lot access to public right-of-way.

Where private driveways access private (business) parking lots from public rights-of-way, appropriate **STOP** signs shall be erected and maintained by private property owners.

REVISED: (Ord. No. 3198-96, 11-06-96)

Sec. 13-215 Traffic light locations.

The following locations are designated for traffic light control devices:

<u>Street</u>	<u>At Intersection with</u>
Main Street/U.S.59 Highway	Keokuk Street/K68 Highway
Main Street/U.S.59 Highway	1 st Street
Main Street/U.S.59 Highway	2 nd Street
Main Street/U.S.59 Highway	3 rd Street
Main Street/U.S.59 Highway	4 th Street
Main Street/U.S.59 Highway	5 th Street
Main Street/U.S.59 Highway	7 th Street
Main Street/U.S.59 Highway	9 th Street
Main Street/U.S.59 Highway	15 th Street
Main Street/U.S.59 Highway	17 th Street
Princeton Street /US 59 (North)	21 st Terrace
Princeton Circle/US 59 (South)	21 st Terrace
Princeton Street/U.S.59 Highway	23 rd Street

REVISED: (Ord. No. 3199-96, 11-06-96)

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Sec. 13-216 Crosswalk areas.

For the purpose of establishing pedestrian crosswalk areas, crosswalks are designated at the following locations:

<u>Street</u>	<u>Location</u>
Industrial Avenue	205 feet west of Davis Ave.
Main Street	179 ft. north of Massasoit Street

REVISED: (*Ord. No. 3071-93, 07-07-93*)

Sec. 13-217 U-Turns.

There shall be no "U Turns" permitted on Main Street between Tecumseh and 5th Streets. Further, crossing a double yellow line to enter a parking space on the opposite side of Main Street between Tecumseh and 5th Streets is prohibited.

(*Code 1982*)

Sec. 13-218 Penalty for violation of article.

A violation of any section of this article shall be a Class C misdemeanor unless otherwise specifically stated by the section. Upon a second conviction within one (1) year thereafter, such person in violation shall be guilty of a Class B misdemeanor, and upon a third or subsequent conviction within one (1) year of the first conviction, such person shall be guilty of a Class A misdemeanor.

(*Code 1982*)

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property line of the abutting owner, except for that portion used as a driveway (as evidenced by the appropriate curb cut or entrance from street or alley), provided that the used portion of such driveway does not block or deter the use of the sidewalk.

(Code 1982)

Sec. 13-304 Truck and other parking prohibited in certain areas.

No recreational vehicle, trailer or semi trailer, tractor, farm implement or machinery, road maintenance machinery, automobile dealer's vehicles, or used vehicle for sale shall be parked on streets designated below, provided that this Section shall not apply to any vehicle described in this Section when it is actually engaged in loading or unloading.

<u>Street</u>	<u>From</u>	<u>To</u>
Main Street	Tecumseh	Fifth Street
Hickory Street	First Street	Park Street
Park Street	Main Street	Hickory Street
First Street	Walnut Street	Hickory Street
Second Street	Walnut Street	Hickory Street
Third Street	Walnut Street	Hickory Street
Fourth Street	Walnut Street	Hickory Street
Fifth Street	Walnut Street	Hickory Street
Thirteenth Street	Main Street	Kanza Park

REVISED: (Ord. No. 3299-98, 10-21-98; Ord. No. 3390-01, 12-19-01)

State law reference-Local parking regulations, K.S.A. 8-2002.

(Code 1982)

Sec. 13-305 Special parking regulations for certain road conditions; removal of vehicles in violation.

- A. During times when at least a two-inch (2") snowfall has been realized or accumulated within the City, the Director of Public Works or his designee may order that no vehicle parking shall be permitted upon the streets described in this subsection for a reasonable period of time during which such regulations are necessary to provide for efficient traffic flow:
1. *Ash Street*-between the intersections of 2nd Street and 15th Street.
 2. *Cedar Street*-between the intersections of 1st Street and 15th Street and between the intersections of Massasoit Street and Red Jacket.
 3. *College Street*-between the intersections of 12th Street and 13th Street.
 4. *K-68 Highway*, -all areas.
 5. *Main Street*, -all areas.
 6. *Massasoit Street*-between the intersections of Main Street and Cedar Street.
 7. *Mulberry Street*-between the intersections of 12th Street and 13th Street.
 8. *Red Jacket* between-the intersections of Cedar Street and Main Street.

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9. *Tremont Street*-between the intersections of 7th Street and 9th Street.
 10. *U.S. 50 Highway*, -all areas.
 11. *U.S. 59 Highway*, -all areas.
 12. *Willow Street*-between the intersections of 7th Street and 9th Street.
 13. *Second Street*-from the west city limits to the intersection of Cedar Street.
 14. *5th Street*-between the intersections of Cedar Street and Mulberry Street.
 15. *Sixth Street*-between the intersections of Mulberry Street and Poplar Street.
 16. *7th Street*-between the intersections of Main Street and Ash Street.
 17. *11th Street*-from the west city limits to the intersection of Ash Street.
 18. *12th Street*-between the intersections of Cedar Street and Mulberry Street.
 19. *13th Street*-between the intersections of Cedar Street and Main Street.
 20. *14th Street*-between the intersections of Main Street and Cedar Street.
 21. *15th Street*-all areas within the city limits.
- B. During times when at least a six-inch (6") snowfall has been realized or accumulated within the City, the Director of Public Works or his designee may order that no vehicle parking shall be permitted upon the streets described in this subsection in addition to those areas described in subsection (A) for a reasonable period of time during which such regulations are necessary to provide for efficient traffic flow:
1. *All municipal parking lots.*
 2. *Hickory Street*-between the intersections of 1st Street and 5th Street.
 3. *Main Street*-between the intersections of K-68 Highway and 5th Street.
 4. *Tecumseh Street*-between Main Street intersection and Highway K-68 Interchange.
 5. *Walnut Street*-between the intersections of 1st Street and 5th Street.
 6. *1st Street*-between the intersections of Walnut Street and Hickory Street.
 7. *2nd Street*-between the intersections of Locust Street and Cedar Street.
 8. *3rd Street*-between the intersections of Locust Street and Cedar Street.
 9. *4th Street*-between the intersections of Walnut Street and Cedar Street.
 10. *5th Street*- between the intersections of Walnut Street and Cedar Street.

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- C. Any order prohibiting certain vehicle parking made pursuant to this section shall be made in writing and shall not remain in effect for more than forty-eight (48) hours, unless such order is specifically extended by subsequent order of the Director of Public Works.
- D. In addition to the other provisions contained in this article, any vehicle parked upon a street described in subsections (A) or (B) of this section in violation of any order of the Director of Public Works or his designee as provided in this section may be removed or caused to be removed by the Police Department, and the owner of such vehicle shall be responsible for the expense of such removal.

REVISED: (*Ord. No. 2962-90, 12-27-90*)

Sec. 13-306 Citation for illegally parked, standing or stopped vehicle.

Whenever any motor vehicle without driver is found parked, standing or stopped in violation of this article or any ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.

(*Code 1982*)

State law references-Removal of certain illegally parked vehicles, K.S.A. 8-1570(b); citation for illegally parked vehicles, K.S.A. 8-2112.

Sec. 13-307 Failure to appear; notice.

If a violator of this article's restrictions on stopping, standing or parking does not appear in response to a traffic citation affixed to such motor vehicle within a period of five (5) days, the Clerk of the Court shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning that if such letter is disregarded for a period of five (5) days a warrant of arrest will be issued.

(*Code 1982*)

State law reference-Failure to appear; notice, K.S.A. 8-2113.

Sec. 13-308 Prosecution; presumption of ownership.

- A. In any prosecution charging a violation of any law or regulation governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of the violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.
- B. The presumption stated in subsection (A) shall apply only when the procedure as described in Sections 13-305 and 13-306 has been followed.

(*Code 1982*)

State law reference-Presumption of ownership, K.S.A. 8-2114.

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Sec. 13-309 Measurements.

- A. Measurements listed in section “Parking Regulations” are initiated from the center of the named intersecting street. The measurements on parking stall locations proceed to the approximate center of the particular identified stall, whether it is parallel or angle type parking. All other areas identified by measurements will proceed from the closest point to farthest point of listed intersection.
- B. Municipal Parking Lot designations and locations are:

<u>Lot</u>	<u>Location</u>	<u>Side</u>
A	200 block of Walnut Street	East
B	100 block of Walnut Street	East
C	100 block of S. Hickory Street	West
D	100 block of E. Second Street	North
E	200 block of Walnut Street	West
F	100 block of N. Hickory Street	West (next to levee)
G	200 block of S. Hickory Street	East
H	300 block of Walnut Street	West
Auditorium	300 block of S. Cedar Street	West

REVISED: (Ord. No. 3071-93, 07-07-93; Ord. No. 3409-02, 03-20-02)

Sec. 13-310 General time limit for parking on street.

It shall be unlawful to park any vehicle, including recreational vehicles, on the streets of the City without moving such vehicle for a period in excess of seventy-two (72) hours.

(Code 1982)

Sec. 13-311 Two-hour parking zones.

- A. With the exception of specified permit parking areas and accessible (ADA) parking, the streets or portions thereof set forth in this section are designated as parking zones with a maximum continuous parking time limitation of two (2) hours between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Each additional one-hour continuous period that a vehicle remains in violation of such parking time limitation shall constitute a separate offense.

<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
Hickory Street	West	1 st Street	3 rd Street
Main Street	Both	bridge	5 th Street
1 st Street	South	alley west of Main	Hickory Street
1 st Street	North	Main Street	alley east of Main
2 nd Street	Both	Walnut Street	Hickory Street
3 rd Street	North	Walnut Street	Hickory Street
3 rd Street	South	Walnut Street	Main Street
4 th Street	South	Walnut Street	Hickory Street
4 th Street	North	Walnut Street	140 feet east of Main (alley)
5 th Street	Both	Main Street	alley east of Main

- B. The City Manager shall cause such signs to be erected as are necessary to inform the public of the two-hour parking zones designated by this section.

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- C. The penalty for violation of this section shall be no less than five dollars (\$5.00), and no more than twenty-five dollars (\$25.00)

REVISED: (Ord. No. 3014-91, 01-02-92; Ord. No. 3071-93, 07-07-93; Ord. No. 3345-00, 05-03-00; Ord. No. 3350-00, 08-16-00; Ord. No. 3614-07, 1-17-07) Changed: 3/27/07

Sec. 13-312 Fifteen-minute parking zones.

- A. The streets or portions thereof set forth in this section are designated as parking zones with a maximum continuous parking time limitation of fifteen (15) minutes between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Each additional 15-minute continuous period that a vehicle remains in violation of such parking time limitations shall constitute a separate offense.

<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>	<u>Number of Stalls</u>
Hickory Street	East	55 feet South of 4 th Street	95 feet South of 4 th Street	4
Hickory Street	West	282 feet South of 3rd Street	334 feet South of 3 rd Street	6
Fourth Street	South	56 feet east of Hickory	91 feet East of Hickory Street	4

- B. The City Manager shall cause such signs to be erected as are necessary to inform the public of the 15-minute parking zones designated by this section.
- C. The penalty for violation of this section shall be no less than five dollars (\$5.00), and no more than twenty-five dollars (\$25.00)

REVISED: (Ord. No. 3071-93, 07-07-93; Ord. No. 3350-00, 08-16-00)

Sec. 13-313 Nuisance and Inoperable Vehicles prohibited on public streets, alleys, or public parking lots.

No person shall park, place, or leave any item or vehicle, or store such item on a trailer on any public street, right-of-way, alley or public parking lot owned and operated by the City that is defined as a public nuisance in Section 10-601 (1-11) or defined as an inoperable vehicle in Section 10-203(1).

REVISED: (Ord. No. 3071-93, 07-07-93; Ord. No. 3614-07, 1-17-07) Changed: 3/27/07

Sec. 13-314 Angle parking authorized.

Angle parking is authorized on the north side of Third Street between Main Street and Hickory Street, subject to restrictions set forth in the standard traffic ordinance adopted in Section 13-101. The City Manager shall cause to have painted on the street surface lines indicating angle parking spaces.

REVISED: (Ord. No. 3014-91, 01-02-92)

State law reference-Angle parking, K.S.A. 8-1572.

Sec. 13-315 Residential parking permits.

- A. Those vehicles displaying a parking permit issued pursuant to this Section shall not be subject to the 2-hour time limitations set forth in Section 13-311.
- B. The holder of a parking permit issued under this Section is not guaranteed a parking space.

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- C. A permit issued pursuant to this section does not authorize parking in spaces reserved for a specific purpose in Section 13-316 of this Article.
- D. Upon application, non-transferable parking permits for the purpose of extended parking in 2-hour limited-time spaces shall be issued by the City Clerk for residents of the Central Business District. The City Clerk shall keep a written record of the name, address and dates of purchase/ expiration. Parking permits shall be issued for a period of twelve months. A fee of \$25.00 for each permit is payable in advance at the utility payment window at City Hall. No more than 2 permits per residential address in the CBD area shall be in force. An individual issued a permit may cancel a parking permit at any time; however, no refunds will be issued for the unused period of the permit. It is the responsibility of the permit holder to renew such permit each year.
- E. Parking permits issued under this Section must be clearly displayed on the left side of the rear bumper of any vehicle parked in an applicable designated parking space, and must be maintained and kept clear of obstruction, in order to avoid the penalties established by this Article.

REVISED: (Ord. No. 3014-91, 01-02-92; Ord. No. 3614-07, 1-17-07) Changed: 3/27/07

Sec. 13-316 Reserved parking areas.

- A. Permits authorizing parking in certain designated spaces for employees, jurors, and others with District Court business are to be issued and managed by the District Court Administrator. The following areas are designated as reserved parking for the District Court between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
Main Street	East	5 spaces immediately south of 3 rd St.	
3 rd Street	South	Main Street	Hickory
Street			

- B. The following areas are designated as reserved parking for the Sheriff’s Office only between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
Hickory Street	West	3 rd Street	S drive, Sheriff’s Parking
Lot			

- C. The following areas are designated as reserved parking for the Sheriff’s Office only (full time).

<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
Hickory Street	West	S drive, Sheriff’s Parking Lot	Sally Port at Jail

- D. The City Manager shall cause such signs to be erected as are necessary to inform the public of the reserved parking zones designated by this section.
- E. The penalty for violation of this Section shall be no less than five dollars (\$5), and no more than twenty-five dollars (\$25).

REVISED: (Ord. No. 3014-91; Ord. No. 3071-93, 07-07-93; Ord. No. 3614-07, 1-17-07) Changed: 3/27/07

Sec. 13-317 No parking zones.

- A. The streets or portions thereof set forth in this section are designated as no parking zones. No parking zones shall include the following streets or portions thereof.

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<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
Ash Street	Both	2 nd Street	7 th Street
Beech Street	East	13 th Street	15 th Street
Burrough Street	East	6 th Street	7 th Street
Cedar Street	West	1 st Street	9 th Street
Cedar Street	East	4 th Street	20 feet South of 4 th Street
Cedar Street	East	9 th Street	15 th Street
Cedar Street	West	Massasoit Street	Red Jacket Street
Cedar Street	West	Massasoit Street	Powhattan Street
College Street	East	12 th Street	13 th Street
Dogwood Street	West	13 th Street	15 th Street
Elm Street	West	1 st Street	2 nd Street
Elm Street	Both	7 th Street	19 th Street
Hickory Street	West	7 th Street	9 th Street
Hickory Street	West	9 th Street	13 th Street
King Street	West	Wilson Street	Powhattan Street
King Street	East	23 rd Street	22 nd Street (dead end)
Locust Street	West	1 st Street	7 th Street
Locust Street	East	5 th Street	20 ft. North of 5 th Street
Locust Street	East	5 th Street	20 ft. South of 5 th Street
Locust Street	East	7 th Street	9 th Street
Locust Street	West	219 feet S. of Wilson St	223 South of Wilson Street
Locust Street	East	10 th Street	11 th Street
Maple Street	West	17 th Street	18 th Street
Mulberry Street	West	4 th Street	7 th Street
Mulberry Street	West	7 th Street	11 th Street
Mulberry Street	East	Logan Street	Powhattan Street
S. Mulberry Street	East	12 th Street	13 th Street
Oak Street	East	7 th Street	9 th Street
Oak Street	East	Logan Street	Wilson Street
Olive Street	West	10 th Street	11 th Street
Pine Street	West	4 th Street	6 th Street
Pine Street	East	10 th Street	11 th Street
Poplar Street	West	5 th Street	6 th Street
Poplar Street	East	Logan Street	Wilson Street
Princeton Circle Dr.	West	23 rd Street	19 th Street
Princeton Street	West	7 th Street	9 th Street
Red Bud Street	East	13 th Street	15 th Street
Red Jacket Street	South	Sycamore Street	Cherry Street
Sycamore Street	East	4 th Street	5 th Street
Sycamore Street	East	7 th Street	9 th Street
Tremont Street	East	7 th Street	9 th Street
Twyman Street	West	13 th Street	15 th Street
Walnut Street	West	5 th Street	7 th Street
Willow Street	West	7 th Street	9 th Street
Willow Street	West	11 th Street	15 th Street
Wilson Street	North	Main Street/U.S.59 Hwy	Locust Street
1 st Street	Both	Hickory Street	Cedar Street
1 st Street	North	Main Street/U.S.59 Hwy	First alley West of Main St
1 st Street	South	Locust Street	Willow Street
2 nd Street	Both	Locust Street	Beech Street
4 th Street	North	Walnut Street	First alley West of Walnut St
4 th Street	North	Cedar Street	Poplar Street
5 th Street	North	Walnut Street	Locust Street
5 th Street	North	Ash Street	Beech Street
5 th Street	North	Hickory Street	Cedar Street

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<u>Street</u>	<u>Side(s)</u>	<u>From</u>	<u>To</u>
6 th Street	North	Walnut Street	Ash Street
6 th Street	North	Ash Street	Beech Street
6 th Street	South	Hickory Street	Mulberry Street
7 th Street	Both	West city limits	Cedar Street
7 th Street	North	Cedar Street	Burrough Street
7 th Street	Both	Burrough Street	East city limit
8 th Street	South	Cedar Street	Cherry Street
8 th Street	South	Tremont Street	Ash Street
9 th Street	Both	Main Street/U.S.59 Hwy	Mulberry Street
9 th Street	South	Sycamore Street	Highland Street
9 th Street	South	First alley W of Walnut St	Walnut Street
9 th Street	South	Willow Street	Main Street
9 th Street	South	Mulberry Street	Sycamore Street
9 th Street	South	Highland Street	Lincoln Street
10 th Street	Both	Main Street/U.S.59 Hwy	Cedar Street
10 th Street	South	Main Street/U.S.59 Hwy	Walnut Street
11 th Street	South	Alley W of Hickory Street	Cedar Street
11 th Street	North	Cypress Street	Pine Street
11 th Street	South	Cedar Street	Mulberry Street
12 th Street	South	Main Street/U.S.59 Hwy	Cedar Street
12 th Street	South	Main Street/U.S.59 Hwy	First alley W of Main St
13 th Street	Both	Eisenhower Road	Pine Street
14 th Street	South	Main Street	Cedar Street
15 th Street	Both	Main Street/U.S.59 Hwy	First alley East of Main St
15 th Street	Both	Main Street/U.S.59 Hwy	First alley W of Main St
15 th Street	North	Oak Street	Mulberry Street
18 th Street	North	Chestnut Street	Maple Street

- B. There shall be **NO PARKING** authorized on either side of **ARTERIAL** streets (as listed below) other than within marked parking spaces and subject to any restrictions herein. **ARTERIAL STREETS** where all parking is prohibited are:

US 59 Highway
 US 50 Highway
 K-68 Highway
 2nd Street (Beech to Cedar)
 7th Street (West city limits to Cedar)
 15th Street (except Ash to Olive on North side)
 23rd Street
 Ash Street (2nd to 7th)
 Davis Avenue
 Lincoln Street
 Wilson Street

- C. The City Manager shall cause such signs to be erected and maintained as are necessary to inform the public of the no parking zones designated by this section.

REVISED: (Ord. No. 3071-93, 07-07-93; Ord. No. 3252-97, 11-19-97; Ord. No. 3268-98, 05-20-98; Ord. No. 3300-98, 10-21-98; Ord. No. 3306-99, 01-20-99; Ord. No. 3310-99, 04-07-99; Ord. No. 3324A-99, 08-18-99; Ord. No. 3334-99, 12-15-99; Ord. No. 3342-00, 03-15-00; Ord. No. 2001-84, 08-15-01; Ord. No. 3371-01A, 08-15-01; Ord. No. 3380-01, 09-19-01; Ord. No. 3633-07, 07-18-07; Ord. No. 3654-07, 11-21-07)

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Sec. 13-318 ADA Accessible Parking.

- A. Accessible parking spaces in the Central Business District shall be appropriately marked according to the details set forth in the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and other guidelines that may be applicable.
- B. This requirement pertains to all public parking lots and marked on-street parking areas.
- C. Any parking space appropriately designated, as "Accessible" parking in accordance with guidelines at the federal, state, and local levels, is enforceable as a traffic violation.
- D. Review and enforcement for maintenance of accessible parking spaces is the responsibility of the City Manager or his/her designee, and includes monitoring and adjusting the number of spaces, ensuring proper signage is maintained, etc.

REVISED: (Ord. No. 3178-96, 02-07-96; Ord. No. 3409-02, 03-20-02; Ord. No. 3605-06, 11-1-06)
Changed: 3/27/07

Sec. 13-319 Restricted Parking.

Following is a list of zones on public streets where parking is prohibited at specific times on school days in the vicinity of school buildings in order to facilitate traffic management related to school activities.

<u>Street</u>	<u>From</u>	<u>To</u>	<u>side(s)</u>	<u>hours</u>
Ash Street	11 th St.	13 th St.	West	7 a.m.-4:00 p.m.
Cypress Street	10 th St.	11 th St.	Both	7 a.m.-4:00 p.m.
Poplar Street	5 th St.	6 th St.	West	7 a.m. - 4 p.m.
Eleventh Street	Pine St.	Ash St.	Both	7 a.m. - 4 p.m.

REVISED: (Ord. No. 3252-97, 11-19-97; Ord. No. 3342-00, 03-03-00; Ord. No. 3353-00, 09-20-00; Ord. No. 3373-01, 08-15-01; Ord. No. 3629-07, 06-06-07)
Changed: 01-14-08

Sec. 13-320 No Parking, Standing, or Stopping Zones.

No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway in the following locations.

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side(s)</u>	<u>Hours</u>
Ash Street	14 th Street	15 th Street	East	2 p.m. - 4 p.m., school days
Beech Street	K-68 Highway	4 th Street	Both	All
13 th Street	565' West of Ash	Ash St.	South	All
17 th Street	Eisenhower Road	Main Street	Both	All

Appropriate signs shall be installed and maintained for above stated parking restrictions.

REVISED: (Ord. No. 3306-99, 01-20-99; Ord. No. 3310-99, 04-07-99; Ord. No. 3342-00, 03-03-00)

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Sec. 13-321 Penalty for violation of article.

Violation of any of the provisions of this article shall be deemed as a Class C Misdemeanor.

The penalty for violation of Section 13-301 shall be no less than ten dollars (\$10.00). The penalty for violation of Sections 13-311 and 13-312 shall be no less than five dollars (\$5.00) and no more than twenty-five dollars (\$25.00).

REVISED: (*Ord No. 3345-00, 05-03-00; Ord. No. 3350-00, 08-16-00*)

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ARTICLE IV. OBSTRUCTIONS/TRAFFIC HAZARDS

Sec. 13-400 Removal of Traffic Hazards.

1. Removal of Traffic Hazards.

In all areas on public or private property at any corner formed by intersecting public streets, it shall be unlawful to create a traffic hazard by installing, setting out or maintaining or allowing the installation, setting out or maintenance of any sign, fence, hedge, shrubbery, natural growth or other obstruction to view, or the parking of any vehicle within that triangle formed as hereby described, such areas to be described as sight triangles:

- (a) **Uncontrolled Intersections – Local Street to Local Street:** A sight triangle is the triangular area formed by the intersection of two streets bound by two lines extending from the point of intersection along the edge of traveled way for a distance of 50 feet.
- (b) **Uncontrolled Intersections – Local to Collector/Arterial:** A sight triangle is the triangular area formed by the intersection of two streets bound by two lines extending from the point of intersection along the edge of traveled way for a distance 50 feet on the local street and 60 feet on the collector or arterial street.
- (c) **Controlled Intersections – Partial Traffic Signalization/Signage:** A sight triangle is the triangular area formed by the intersection of two streets bound by two lines extending from the point of intersection along the edge of traveled way for a distance of 25 feet on the street with the stop sign and 60 feet on the street with no traffic signage.
- (d) **Controlled Intersections – Full Traffic Signalization or 4 Way Stop Signs:** A sight triangle is the triangular area formed by the intersection of two streets bound by two lines extending from the point of intersection along the edge of traveled way for a distance of 25 feet.

2. Exceptions.

The provisions of sight triangle shall not apply to those shrubs or bushes located within a designated sight triangle, the maximum height of which is less than 3 feet (36 inches) measured from the established street level. For trees located within a sight triangle, a minimum height clearance for limbs and relative growth shall be trimmed for clearance of 8 feet from the established street level. Utility poles and equipment required for traffic control shall be exempt from this section's restrictions.

3. Notice.

When the Planning and Codes Administration Department determines upon the basis of a sight triangle investigation that such a traffic hazard exists, it shall notify the owner by certified mail and order that the hazard be removed within 10 days.

4. Removal; Penalty.

The failure of the owner to remove such a traffic hazard within 10 days shall constitute an offense punishable by a penalty of \$50. Every day said owner shall fail to remove the hazard shall be a separate and distinct offense. If the traffic hazard has not been removed within 10 days of the receipt of notice, the city shall remove the obstruction. A notice of costs shall be sent to the property owner by certified mail. If payment of costs is not received within 30 days after receipt of the invoice, the costs shall be certified with the County Clerk and added to the tax rolls of the county as a special assessment against the property.

5. Severability.

If any provision of this policy is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the policy and the applicability thereof to other persons and circumstances shall not be affected.

REVISED: (Ord. No. 2918-89, 08-16-89; Ord. No. 3598-06, 10-04-06)