

ORDINANCE NO. 913

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF EDWARDSVILLE, KANSAS, AS SET OUT IN CHAPTER 12 TRAFFIC, OF THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS ("CODE"), BY AMENDING CODE SECTION 12.02.001 AND INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2012," WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS, AND AMENDING EXISTING CODE SECTION 12.02.001.

BE IT ORDAINED by the governing body of the City of Edwardsville, Kansas:

Section 1. Code section 12.02.001 is hereby amended to read:

12.02.001 INCORPORATING STANDARD TRAFFIC ORDINANCE. To regulate traffic within the corporate limits of the city of Edwardsville, Kansas, there is hereby incorporated, by reference, the "Standard Traffic Ordinance for Kansas Cities, Edition 2012" (hereinafter referred to as "STO"), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions thereof which are hereafter omitted, deleted, modified, or changed. One copy of the STO will be marked or stamped "Official Copy as Adopted by Ordinance No. 913" all sections or portions thereof that are to be omitted or changed will be clearly marked; and a copy of this ordinance will be attached thereto and filed with the City Clerk, to be available to the public for inspection at all reasonable hours.

Section 33, "Maximum Speed Limits," of the STO is hereby amended to read as follows:

Sec. 33. Maximum Speed Limits

(a) Except as provided in subsection (b), and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557 (section 32 of the "Standard Traffic Ordinance for Kansas Cities, Edition of 2012"), and amendments thereto, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

1.0 Ten (10) miles per hour: in any park.

1.5 Fifteen (15) miles per hour. Pursuant to the agreement with the owner thereof, on any street that is open to public use within the area of the mobile home park that is bounded by Fourth Street to the east, Mission Creek Drive to the west, Williamson Street to the north, and White Street to the south.

2.0 Twenty (20) miles per hour: As posted in the designated school zone of South 104th Street beginning 100 feet northeast of the centerline of 4th Street; thence north on South 104th Street to 690 feet north of the most northern property line of 1700 South 104th Street, Edwardsville School, between the hours of 7:45 A.M. and 8:45 A.M., and between the hours of 3:00 P.M. and 4:00 P.M. on regular

school days as designated by the school calendar of the Edwardsville School; on 5th, 6th, 7th, and 8th streets south of K-32 Highway; on Newton Street; on Beach Street; on Kansas Avenue from 110th Street west to the western city limits; on 110th Street south of Kansas Avenue; on Trant Street from 4th Street to 9th Street; and in any business district not otherwise designated.

2.5 Twenty-five (25) miles per hour: On 5th and 7th streets north of K-32 Highway; on High Street; on Blake Street from 4th Street to the City Park; on 4th Street from the railroad tracks south to the southern City Limits; on 11th Street; on Orchard Street; on Shearer Road; on Crestwood Street; on Steele Road; and on Shawnee Street from Edwardsville Drive to 106th Street.

3.0 Thirty (30) miles per hour: On 96th Street; on 4th Street from K-32 Highway north to Edwardsville Drive; on Riverview; and in any urban, non-business district not otherwise designated.

3.5 Thirty-five (35) miles per hour: On Edwardsville Drive from 4th Street north to Kansas Avenue.

4.0 Reserved.

4.5 Forty-five (45) miles per hour. On K-32 highway beginning 0.512 miles east of the intersection of the section line common to Sections 26 and 27, T-11-S, R-23-E, and the centerline of the said highway, and continuing thence easterly for a total Distance of 0.37 miles; on Woodend Road; and on 110th Street from the northern City Limits south to Kansas Avenue.

5.0 Reserved.

5.5 Fifty-five (55) miles per hour. On K-32 Highway, in all areas not forty-five (45) miles per hour as set out in Section 4.5 above.

6.0 Reserved.

6.5 Sixty-five (65) miles per hour. On all other highways except for any separated multi-lane highway, so designated and posted by the Secretary of Transportation.

7.0 Seventy (70) miles per hour. On any separated, multi-laned highway designated and posted by the Secretary of Transportation. The maximum speed limits established by or pursuant to this paragraph shall be in force and effect even if no signs are posted giving notice thereof, and notwithstanding any signs giving notice of maximum speed limits in excess thereof; and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this paragraph, except by separate ordinance for specific locations, shall not be of any force or effect.

(b) No person shall drive a school bus to or from school, or to interschool or intra-school functions or activities, at a speed greater than forty-five (45) miles per hour on any roadway having dirt, sand or gravel surface, and in no event shall a school bus be driven

to and from school, or functions or activities, in excess of fifty-five (55) miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection relating to school buses shall apply to all buses used for the transportation of students enrolled in community colleges or area vocational schools, when such buses are transporting students to or from schools, or functions or activities (K.S.A. Supp. 8-1558).

(c) The maximum speed limits established by or pursuant to this section may be altered as authorized in K.S.A. 8-1559 and 8-1560 and amendments thereto.

Section 101 of the STO is hereby amended to read as follows:

Section 101. Failure to Comply with Traffic Citation Attached to a Parked Vehicle.

If a violator of restrictions on stopping, standing or parking does not appear in response to a traffic citation that is affixed to a motor vehicle that gives notice for the violator to appear in municipal court on a prescribed date to answer the citation, the clerk of the court shall send a notice by first class, certified mail, return receipt requested, to the owner of the motor vehicle. The notice will advise the owner of the violation and that if the notice is disregarded for a period of thirty (30) days, a warrant of arrest shall be issued for the owner. For the purpose of this section, "owner" includes an individual and, if the motor vehicle is owned by a business enterprise, "owner" will include the general or business manager, managing partner, president, or owner of the enterprise.

Section 136, "Use of Coasters, Roller Skates and Similar Devices Restricted," of the STO is hereby amended as follows:

Section 136. Use of Coasters, Roller Skates and Similar Devices Restricted

(a) No person upon roller skates, or riding in or by means of any coaster, roller blades, skateboard, or similar device shall operate such device upon:

(1) any sidewalk or public parking lot or area in or within the city limits of the city of Edwardsville; or

(2) any roadway, street or highway, except when the roadway is temporarily designed as a play street; or

(3) any public tennis court; or

(4) any private parking lot or area where signs are posted, in accordance with this section, giving notice that operation of such devices is prohibited. The provisions of this subsection (4) shall not be applicable to any private lot or area unless the following signage is clearly and properly posted at all entrances to said private parking lot or area:

NOTICE

PURSUANT TO MUNICIPAL ORDINANCE, NO ROLLER SKATES, COASTER, ROLLER BLADES, SKATEBOARDS OR SIMILAR DEVICE MAY BE OPERATED IN THIS PARKING LOT OR AREA. CONVICTION OF A VIOLATION OF THIS SECTION SHALL RESULT IN A FINE OF \$25.00.

- (b) Except as otherwise provided in section (c) hereof, use of roller blades, skates, or skateboards is permissible on the walking trail in the City Park.
- (c) Whenever a person is operating such a device in any area or place where such use is permitted, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (d) any person found guilty of a violation of this section shall be fined \$25.00.

Section 169, "Special Restrictions on Lamps," of the STO is hereby amended as follows:

Section 169. Special Restrictions on Lamps.

- (a) During the time specified in section 144, any lighted lamps or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, and school bus warning lamps which project a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the high beam will strike the level of the roadway on which the vehicle stands, at a distance of more than 75 feet from the vehicle.
- (b) Except as required or permitted in sections 160 and 170, no person shall drive or move any vehicle or equipment upon any highway with a lamp or device capable of displaying a red light visible from directly in front of the center thereof, nor shall any vehicle or equipment upon any highway have any lamp or device displaying any color of light visible from directly in front of the center thereof except white or amber or any shade of color between white and amber.
- (c) Flashing lights are prohibited except as authorized or required in sections 160, 161, 162(e), 170 and 172.
- (d) The flashing lights described in Sections 160 and 170 shall not be used on any vehicle other than a school bus, church bus or day program bus as defined in Section 171, or an authorized emergency vehicle.
- (e) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except that light illuminating the license plate shall be white and the light emitted by the back-up lamp shall be white or amber.
- (f) The following lighting or lamps are unauthorized and shall not be used on any motor vehicle:

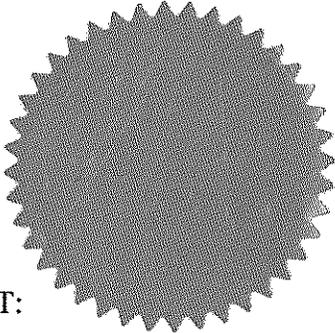
(1) So-called undercarriage lamps or other lighting of any and every kind that illuminate all or any part of the area beneath or underneath a motor vehicle, whether visible from the front, back or sides of the motor vehicle.

(2) Any lighting or lamps of any and every kind, situated around or in the area of the license plate of the motor vehicle which emit a color other than white.

Section 2. Code Section 12.01.001 as previously adopted pursuant to Ordinance numbered 905, and any other provisions in conflict with those expressed or incorporated by reference in the instant ordinance, are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its publication in the *Chieftain*.

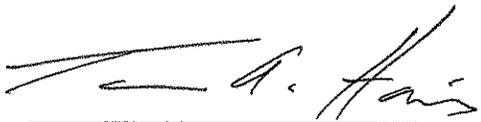
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 27th DAY OF AUGUST, 2012.



ATTEST:



John McTaggart, Mayor



Acting City Clerk

APPROVED AS TO FORM:



David Duckers, City Attorney