ORDINANCE NO. 939

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, 2014," WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS, AND REPEALING 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, 2014" (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. No less than three copies of the STO will be marked or stamped "Official Copy, As Adopted by Ordinance No. 939;" 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, 2014"), 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 Reserved.

7.5 Seventy-five (75) miles per hour. On any separated, multi-laned highway as designated and posted by the Secretary of Transportation.

(b) No person shall drive a school bus to or from school, or interschool or intraschool functions or activities, at a speed in excess of the maximum speed limits provided in subsection (a), except that the board of education of any school district may establish by board policy lower maximum speed limits for the operation of such district's school buses. The provisions of this subsection relating to school buses shall apply to buses used for the transportation of students enrolled in community colleges or area vocational schools, when such buses are transporting students to or from school, or functions or activities.

(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 letter informing 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 roadway, street or highway, except when the roadway is temporarily designed as a play street; or

(2) any public tennis court; or

(3) any private or public 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 shall not be applicable to any private or public parking lot or area unless the following signage is clearly and properly posted at all entrances to said private or public 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 IN ACCORDANCE WITH SECTION 1.01.009 OF THE CODE OF ORDINANCES.

(b) Except as otherwise provided in section (c) hereof, use of roller blades, skates, or skateboards is permissible on trails and sidewalks unless otherwise posted.

(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 in accordance with Section 1.01.009 of the Code of Ordinances.

Section 2. Code Section 12.02.001 as previously adopted pursuant to Ordinance numbered 925, 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 passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 25th DAY OF AUGUST, 2014.

CITY OF EDWARDSVILLE, KANSAS FOUNDED 1910

John McTaggart, Mayor

ATTEST:

Tamara A. Harris, City Clerk

APPROVED AS TO FORM:

David K. Duckers, City Attorney