

ORDINANCE NO 3003.

AN ORDINANCE AMENDING SECTION 300.010 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION OF 2009, WITH CERTAIN OMISSIONS; AND ADDING SECTION 305.070 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF PAOLA, AND PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND PROVIDING FOR THE REPEAL OF ORDINANCE NO 3002.

Be it Ordained by the Governing Body of the City of Paola, Kansas:

Section 1. That Section 300.010 of the Code of the City of Paola, Kansas, 1997, is hereby amended as follows:

"SECTION 300.010: STANDARD TRAFFIC ORDINANCE

- A. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Paola, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities, Edition of 2009" prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than one copy of the Standard Traffic Ordinance shall be marked or stamped "OFFICIAL COPY AS ADOPTED BY ORDINANCE NO. 3002", and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open for 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 the Standard Traffic Ordinance similarly marked, as may be deemed expedient.
- B. OMISSION. The following section of the Standard Traffic Ordinance for Kansas Cities, Edition of 2009, relating to the following matter, is hereby omitted and deleted:

Section 114.4 Unlawful Operation of a Golf Cart"

Section 2. That Section 305.070 of the Code of the City of Paola, Kansas 1997, is hereby added as follows:

"SECTION 305.070: OPERATION OF GOLF CARTS.

- A. Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf

cart from crossing a federal or state highway with a posted speed limit greater than 30 miles per hour.

- B. No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.
- C. Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.
- D. No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person is 17 years of age or older. 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.
- E. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than six persons, including the driver.
- F. It shall be illegal for any person to operate a golf cart on any public highway, street, road or alley with more passengers than the golf cart is designed to seat.
- G. Unless specifically provided herein, a violation of this section 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, 2009 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.
- H. It shall be illegal to operate a golf carts vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle.
 - 1. For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.
 - 2. The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto."

Section 3. That Ordinance No. 3002 is hereby repealed.

Section 4. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper, and shall take effect and be in force from and after said publication.

PASSED by the City Council the 27th day of October, 2009.

SIGNED by the Mayor on the 27th day of October, 2009.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk