## CHAPTER XIV. TRAFFIC

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## ARTICLE 1. STANDARD TRAFFIC ORDINANCE

14-101.

14-102.

14-103.

INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Oxford, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 123012, inclusive, as amended. One copy of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the code of the City of Oxford, Kansas," 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 this section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. (Ord. 302; Code 2014)

SAME; 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. Supp. 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.
(Ord. 235, Sec. 2)
SAME; AMENDMENTS TO SECTION 33. Section 33 of the Standard Traffic Ordinance is hereby changed to read as follows:
"Section 33. Maximum Speed Limits. (a) The governing body having determined on the basis of an engineering and traffic investigation that the speed limits permitted under state law and Section 33(a) of the 1999 Edition of the aforesaid Standard Traffic Ordinance are not reasonable or safe under the conditions found to exist on streets in the city hereby determines and declares that the reasonable and safe speeds on the streets in the city are as follows:
(a) Except as provided in subsection (b) and except when a special hazard exists that requires a lower speed in compliance with K.S.A. 8-1157, and amendments thereto:
(1) In any business district, except Main Street (US 160 Highway), 20 miles per hour;
(2) In any residential district, except Sumner Street and Main Street (US 160 Highway), 20 miles per hour;
(3) Sumner Street in residential districts, 30 miles per hour;
(4) Main Street (US 160 Highway) as follows:
(i)Between west city limits and Osage Avenue, 40 miles per hour;
(ii)Between Osage Avenue and Ohio Street, 30 miles per hour;
(iii)Between Ohio Street and the east city limits, 40 miles per hour.
(5) In any school zone between the hours of 7:45 a.m. and 3:45 p.m. on days when school is in session, 20 miles per hour;
(6) In any park, 15 miles per hour; and
(7) In all other locations, 55 miles per hour.

Main Street being a connecting link in the state highway system, the Secretary of Transportation has approved such speed limit in writing.

Such limits above specified and established as authorized by law shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits. The maximum speed limits set forth above shall be effective even though no traffic control devices are erected or in place.
(b) No person shall drive a school bus to or from school, or interschool or intraschool functions or activities, at a speed greater than 45 miles per hour on any roadway having a dire, 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 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection relating to school buses shall apply to buses used for the transportation buses are transporting students to or from school, or functions or activities.
(c) The maximum speed limits in this section may be altered as authorized in K.S.A. 8-1559 and 8-1560 and amendments thereto.
(Ord. 235, Sec. 3)

SAME; AMENDMENT TO SECTION 51. Section 51 of the Standard Traffic Ordinance is hereby changed by adding a new subsection designated Section 51(b) reading as follows:

Section 51(b). (b) A double line consisting of two normal solid yellow lines delineates the separation between travel paths in opposite directions where overtaking and passing is prohibited in both directions. This is a two direction nopassing marking. Crossing this marking with care is permitted only as part of a leftturn maneuver to enter or exit any private driveway. The driver of any vehicle shall not cross any double solid yellow lines except as part of a left-turn maneuver to enter or exit any private driveway. Any other crossing shall constitute a violation of the Standard Traffic Ordinance and be punished as provided in Section 201 of the Standard Traffic Ordinance. (Code 1988)

SAME; AMENDMENT TO SECTION 85; STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED AREAS. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:
(a) Stop, stand, or park a vehicle:
(1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
(2) On a sidewalk;
(3) Within an intersection;
(4) On a crosswalk;
(5) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicted by signs or markings;
(6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
(7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
(8) On any railroad tracks;
(9) On any controlled-access highway;
(10) In the area between roadways of a divided highway, including Crossovers;
(11) On Water Street between Cottonwood Street and College Street; or
(12) At any place where official signs prohibit parking.
(b) Stand or park a vehicle, whether occupied or not except momentarily to pick up or discharge a passenger or passengers:
(1) In front of a public or private driveway;
(2) Within 15 feet of a fire hydrant;
(3) Within 20 feet of a crosswalk at an intersection;
(4) Within 30 feet upon the approach to any flashing signal, stop sign, or traffic-control signal located at the side of a roadway;
(5) Within 20 feet of the driveway entrance to any fire station and the side of a street opposite the entrance to any fire station within 75 feet of the entrance, when properly sign-posted;
(6) At any place where official signs prohibit standing.
(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in loading or unloading property or passengers:
(1) Within 50 feet of the nearest rail of a railroad crossing;
(2) At any place where official signs prohibit parking.
(d) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.
(e) No person shall stand or park a vehicle in areas designated as fire lanes upon public or private property.
(Ord. 235, Sec. 4: Code 2003)
14-106.
PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than $\$ 20$ or more than $\$ 500$. The Municipal Judge shall adopt a fine schedule for ordinance traffic infractions such that the Defendant may plead guilty or "no contest" and pay in full the scheduled fine amount and court costs and thereby avoid a personal appearance in Court. The Municipal Judge may further establish a fine schedule for such other traffic offenses as the Judge chooses to include on the fine schedule and thereby allow Defendants to plead guilty or no contest and pay the appropriate fine without a court appearance. In the event a Court appearance is made and the Court finds that circumstances warrant it, the Court shall have discretion to deviate from the fine schedule either upward or downward as the Court deems appropriate up to the $\$ 500$ maximum authorized hereunder. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense shall pay a fine fixed by the Court not to exceed $\$ 500$ unless a greater fine is authorized by the particular
ordinance violated. The fine so imposed by the Court after trial may be a different amount or may be identical to the scheduled fine amount. In exercising its discretion in imposing fines where a court appearance is made or a trial is had the Court may consider whether this is a repeat offense, whether public safety was endangered, whether extenuating circumstances justify Defendant's behavior to some degree, and such other circumstances as the Court may deem relevant.
(Ord. 271(a); Code 2014)

## ARTICLE 2. LOCAL TRAFFIC REGULATIONS

14-201.

14-202.
PARKING VEHICLES, SEMI-TRAILERS, TRAILERS OR OTHER DEVICES FOR MORE THAN FIVE-24 HOUR DAYS; PENALTY; ABATEMENT OF NUISANCE. (a) Any person who shall park or permit the parking, storing or standing of any vehicle, semi-trailer, trailer or other device in, upon, or by which a person or property is or may be transported or drawn upon a public street or highway, except devices ordinarily moved by human power upon any public street, avenue or alley in the city for a continuous period of more than five- 24 hour days shall, upon conviction thereof, be punished as provided in section 1-116 of this code.
(b) Any vehicle, semi-trailer, trailer or other device hereinabove specified found to have been so parked, stored or standing for a continuous period of more than five- 24 hour days shall be deemed a public nuisance, and, in addition to the penalty herein provided, such nuisance may be abated in the manner provided by law.
(c) This section shall not apply to house trailers unless the house trailer is being used as a residence.
(Ord. 166, Sec. 1; Code 1988)
14-203. PARALLEL PARKING. Any person who parks a vehicle or trailer on Main Street between Michigan Avenue and the west end of the Arkansas River Bridge in the city other than parallel to the curb of Main Street shall, upon conviction thereof, be punished as provided in section 1-116 of this code.
(Code 1981, 17-202; Code 1988)

14-204.

14-205.

14-206.

14-207. zones in the city, the following zones are hereby determined and designated as school zones in the city:
(a) 300, 400,500, and 600 blocks of north Michigan Street;
(b) 200, 300, and 400 blocks of east College Street;
(c) 200 block of east Elm Street;
(d) 200, 300, 400, 500, and 600 blocks of north Water Street;
(e) 300 block of north Ohio Street;
(f) 200 block of east Maple Street; and
(g) 200 and 300 blocks of east Main Street.
(Ord. 209, Sec. 1)
14-208.
TRUCK; DEFINITIONS. For the purpose of this article, the word "truck" shall mean any vehicle designated or operated for the transportation of property of any kind whatsoever, and whose body weight exceeds 10,000 pounds.
(Ord. 206, Sec. 1)
14-209.
SAME; APPLICATION OF REGUALTION. No trucks shall be operated over and along any streets in the city except Main Street, Sumner Street and Cottonwood Street, provided, however, that this article shall not prohibit:
(a) The operation of trucks upon any street where necessary to pick up or deliver property which is, or is to become the cargo of the truck, or a part of such cargo. This provision shall not be deemed to permit truck travel for the purpose of reaching a stopping point or a point for parking the truck for any period of time;
(b) The operation of emergency vehicles upon any street in the city;
(c) The operation of trucks owned or operated by the city public utilities or public utilities franchised by the city, or any contractor or supplier of materials, while
engaged in the repair, maintenance, construction or improvement of streets.
(d) The operation of trucks on any established detour in any case where such truck could lawfully be operated upon the street for which such detour is established. (Ord. 206, Sec. 2)

14-210.

14-211.

14-212.

14-213.

14-214.

SAME; TRUCK TRAFFIC IN CITY. (a) All trucks entering the city for a delivery point in the city shall proceed only over streets on which truck travel is not prohibited and shall deviate only at the intersection with a street upon which such traffic is permitted nearest to the delivery point. Upon leaving the delivery point, a deviating truck shall return to a street on which truck travel is permitted by the shortest possible route.
(b) All trucks entering the city for multiple delivery or pick up points shall proceed only over streets on which truck travel is not prohibited and shall deviate only at the intersection with a street upon which such traffic is permitted nearest to the first delivery or pick up point. Upon leaving the first delivery or pick up point a deviating truck shall proceed to other delivery or pick up points by the shortest return to a street on which truck travel is permitted by the shortest possible route.
(c) All trucks on a trip originating in the city and traveling in the city for a delivery or pick up point outside the city shall proceed by the shortest direction over streets on which such traffic is permitted to the corporate limits of the city.
(d) All trucks on a trip originating in the city and traveling in the city for delivery or pick up points in the city shall proceed only over streets upon which such traffic is permitted.
(Ord. 206, Sec. 3)
SAME; CLERK MAINTAINS MAP. The city clerk shall keep and maintain an accurate map showing the streets upon which truck traffic is permitted; the map shall be kept on file in the office of the city clerk and shall be available for inspection by the public during regular business hours.
(Ord. 206, Sec. 4)
SAME; SIGNING. There shall be erected at appropriate locations in the city sufficient signs to give clear and adequate notice that this article is in effect and that truck traffic is prohibited on such streets.
(Ord. 206, Sec. 5)
SAME; WEIGH-IN AUTHORIZED. The chief of police shall have the authority to require any person driving, or in control of any commercial vehicle proceeding over ta street over which truck traffic is prohibited to proceed to any public or private scale within a reasonable distance for the purpose of weighing and determining whether this article has been complied with.
(Ord. 206, Sec. 6)
SAME; PENALTIES. Any person who shall violate the provisions 14208:214 shall, upon conviction thereof, be punished by a fine or not more than $\$ 100$, or be imprisoned not exceeding three months, or be both so fined and imprisoned.
(Ord. 206, Sec. 7)

REQUIREMENT TO WEAR SEAT BELTS. (a) Each occupant of a passenger car manufactured with safety belts who is 18 years of age or older shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion.
(b) Each occupant of a passenger car manufactured with safety belts who is at least 14 years of age but less than 18 years of age shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion.
(c) This ordinance shall not apply to (1) an occupant of a passenger car who possesses and displays to the police officer or the municipal court judge a written statement from a licensed physician that such person is unable for medical reasons to wear a safety belt system; (2) Carriers of the United States mail while actually engaged in delivery and collection of mail along their specified routes; or (3) newspaper delivery persons while actually engaged in delivery of newspapers along their specified routes.
(d) Despite any indications to the contrary in prior or contemporaneous laws of concurrent jurisdiction, law enforcement officers may enforce violations of this section as primary enforcement laws and may issue citations to anyone violating this section requiring their appearance in municipal court for violations thereof.
(e) Persons violating subsection (a) shall be fined $\$ 10$, which includes court costs. Persons violating subsection (b) shall be fined $\$ 60$, which includes court costs. (Ord. 290; Code 2014)

LOUD SOUND SYSTEMS PROHIBITED. (a) No person operating or occupying a motor vehicle on a street, highway, alley, parking lot, or driveway shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of 50 or more feet from the vehicle.
(b) Sound amplification system means any radio, tape player, compact disc player, loudspeaker, or other electronic device used for the amplification of sound.
(c) Plainly audible means any sound produced by a sound amplification system from within the vehicle, which clearly can be heard at a distance of 50 feet or more. Measurement standards shall be the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included. The motor vehicle may be stopped, standing, parked or moving on a street, highway, alley, parking lot or driveway.
(d) It shall be an affirmative defense to a charge under this section, that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply: (1) the system is being operated to request medical or vehicular assistance or to warn of a hazardous road condition; (2) the vehicle was an emergency or public safety vehicle; (3) the vehicle was owned and operated by the city, or a gas, electric, communications or refuse company having a franchise or a contract to operate within the city; (4) the system was used for the purpose of giving instructions, directions, talks, addresses, lectures or transmitting music to any persons or assemblages of person in compliance with the ordinances of the city; (5) the vehicle was used in authorized public activities, such as parades, fireworks, sports events, musical productions and other activities which have the approval of the department of the city authorized to grant such approval.
(Ord. 197, Code 2003; Code 2014)

14-217.
PENALTY. Any person that violates section 14-216 shall be deemed guilty of an ordinance traffic infraction, and, upon conviction thereof, be subject to a fine of up to $\$ 500$, but the standard fine for such an offense shall be $\$ 40$, plus court costs. (Ord. 297; Code 2014)

14-218.
ENGINE COMPRESSION BRAKING BY TRUCKS OR TRUCK TRACTORS. It shall be unlawful for the driver of any truck or truck tractor to use an engine compression brake at any time on a public street unless the noise created by the use of such braking procedure is effectively muffled such that there is no significant increase in engine noise caused by the braking maneuver. This prohibition shall not apply to a public safety emergency vehicle.
(Ord. 256; Code 2014)
14-219. DEFINITIONS. (a) "Engine Compression Braking" is hereby defined to be the use of an engine compression brake upon a truck or truck tractor by the operator thereof in such a manner that results in a substantial increase in engine noise to the public.
(b) An "Engine Compression Brake" is a motor vehicle brake which is activated or worked by the compression of the engine of a motor vehicle.
(Ord. 256; Code 2014)

ARTICLE 3. RESERVED

## ARTICLE 4. HAZARDOUS MATERIALS

14-401.

14-402.

14-403.

4-405.

14-404.

HAZARDOUS MATERIAL DEFINED. As used in this article, the term hazardous material shall mean any material or combination of materials which, because of its quantity, concentration, or physical, chemical, biological, or infectious characteristics, poses a substantial present or potential hazard to human health or safety or the environment if released into the workplace or environment or when improperly treated, stored, transported, or disposed of or otherwise managed.
(Code 2003)
SAME; EXCEPTIONS. The provisions of this article shall not apply to any container which shall have a capacity of 150 gallons or less which shall be used for the purpose of supplying fuel for the vehicles, trailers, containers or tanks containing anhydrous ammonia or other material primarily used by farmers for fertilizer purposes when such vehicles, trailers, containers or tanks are parked or housed upon property designated for the placement of such vehicle, trailer, container or tank by any farmers cooperative, elevator company or farm supply store located within the city limits.
(Code 1988)
TRANSPORTATION OF HAZARDOUS MATERIALS. (a) Except as provided in section 14-404 it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city.

HAZARDOUS MATERIALS ROUTES. The provisions of section 14-403 shall apply to all streets, avenues, highways, roadways, alleys or other public right-ofways within the city except those specified within this section where transportation of hazardous materials shall be allowed. Transportation of hazardous materials shall be allowed upon the following streets, avenues, highways or roadways:
(a) Sumner Street anywhere within the city limits.
(b) Kansas Highway 160.
(Code 1988)
PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS. (a) Except as provided in subsections (b) and (c), it shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semitrailer carrying any hazardous material within any of the following city zoning districts as defined in Chapter 16 of this code:
(1) (Reserved)
(b) Subsection (a) shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour where such vehicles, trailers or semi-trailers are parked along those routes specified in section 14-404 of this code.
(c) Subsection (a) shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation.
(Code 1988)

14-406.
REMOVAL OF ILLEGALLY PARKED TRAILERS. If any vehicle, trailer or a semi-trailer is found parked in violation of the provisions of this article, the fire chief or assistant chief or any law enforcement officer may require the owner, operator or lessee of the trailer to move it within two hours. If such removal is not accomplished on the order of such officer, it may be accomplished by any such officer, by any reasonable means, if the continued presence of the trailer or semi-trailer at its parked location constitutes, adds to or prevents correction of a situation threatening imminent injury or damage to persons or property.
(Code 1988)

## ARTICLE 5. MICRO UTILITY TRUCKS AND WORK-SITE VEHICLES

14-501.

14-502.

14-503.

14-504.

OPERATION OF MICRO UTILITY TRUCKS AND WORK-SITE UTILITY VEHICLES. Subject to the restrictions set forth hereafter, the operation of micro utility trucks and work-site utility vehicles is hereby authorized within the City of Oxford. (Ord. 281; Code 2014)

CONDITIONS REQUIRED. It shall be unlawful for any person to operate a micro utility truck or work-site utility vehicle within the City of Oxford in violation of any of the following conditions:
(a) No micro utility truck or work-site utility vehicle may be operated on any state or federal highway within the City of Oxford except as specifically authorized hereafter. The officially designated route for US 160 highway is the only roadway currently designated as a state or national highway within the City of Oxford.
(b) Micro utility trucks and work-site utility vehicles may be operated on a state or national highway only at intersections for the sole purpose of crossing said intersections.
(c) No person may operate a micro utility truck or work-site utility vehicle upon a public street or alley unless such person has a valid driver's license to operate a motor vehicle.
(d) No person may operate a micro utility truck or work-site utility vehicle upon a public street or alley unless such vehicle is covered by liability insurance as specified in K.S.A. 40-3104 and Section 200 of the Kansas Standard Traffic Ordinance most recently adopted by the City. The penalty for violation of this subsection shall be as specified in Section 200, and the obligation to display said insurance to law enforcement specified in Section 200 shall apply specifically to micro utility trucks and work-site utility vehicles.
(e) No work-site utility vehicle or micro utility truck shall be operated on a public street or alley unless such vehicle shall comply with the equipment requirements under the provisions of K.S.A., Chapter 8, Article 17, and the penalty therefore shall be as specified for such equipment violation. (Ord. 281; Code 2014)

DEFINITIONS. (a) "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured, and is manufactured with a metal cab.
(b) "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 the fuel and fluids, of more than 800 pounds, is equipped with four or more low-pressure tires and a steering wheel and bench or bucker-type seating allowing at least two people to sit side by side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include any vehicle that qualifies as a micro utility truck.
(Ord. 281; Code 2014)
STATE LAW. This article shall not be construed so as to authorize the operation of either micro utility trucks or work-site utility vehicles in a manner contrary to any state statute prohibiting or restricting the operation thereof, but such other operation as may be contrary to a state statute but not a municipal ordinance shall not be prosecuted in municipal court. (Ord. 281; Code 2014)

14-505. PENALTY. A violation of this article shall be deemed an ordinance traffic infraction and unless otherwise specified, shall be punished as provided for in Section 201 of the most recently adopted Standard Traffic Ordinance.
(Ord. 281; Code 2014)

