

ORDINANCE NO. 548

AN ORDINANCE PERTAINING TO UNLAWFUL OPERATION OF ALL-TERRAIN VEHICLES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVEN:

“All-terrain vehicle” defined. “All-terrain vehicle” means any motorized nonhighway vehicle 45 inches or less in width, having a dry weight of 650 pounds or less, traveling on three or more low-pressure tires, having a seat designed to be straddled by the operator. As used in this section, “low-pressure tire” means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 12 inches or less and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

Section 1: Unlawful Operation of All-Terrain Vehicle.

- (a) Except as provided in subsection (b), it shall be unlawful for any person to operate an all-terrain vehicle:
- (1) On any interstate highway, federal highway or state highway; or
 - (2) Within the corporate limits of the city of Haven, Kansas on any public road, street or public right-of-way.
- (b) Notwithstanding the provisions of subsection (a), all-terrain vehicles operated as an implement of husbandry, or all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas Department of Transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal, or state highway, and on any city public road, street or public right-of-way.
- (c) A violation of this ordinance shall constitute a traffic infraction.

Section 2. That all Ordinances of the City of Haven, Kansas in conflict herewith are hereby repealed.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication once in the official city newspaper.

PASSED AND APPROVED THIS 7TH DAY OF SEPTEMBER, 2004.

S/S John I. Mitchell, Mayor

ATTEST:

S/S Cheryl Savaiano, City Clerk

