

AN ORDINANCE REGULATING THE USE OF ALL-TERRAIN VEHICLES AND WORK-SITE UTILITY VEHICLES, AND PERMITTING GOLF CARTS WITH RESTRICTIONS, WITHIN THE CITY OF LONGTON, KANSAS

WHEREAS, the City of Longton is a municipality with established ordinances, and

WHEREAS, the Kansas Legislature has enacted Substitute for House Bill NO. 2559 amending K.S.A. 8-15,100 and prohibiting the use of all-terrain vehicles and work-site utility vehicles within the corporate limits of any city unless authorized by such city, and

WHEREAS, the City Council desires to adopt this Ordinance providing the rules and regulations permitting all-terrain vehicle and work-site utility vehicle operation and use within the City while protecting and promoting the health, safety, life and property of the citizens of Longton, Kansas in regards to such operation, and

WHEREAS, the City Council further recognizes that golf carts can aid in the mobility of certain segments of the local population and desires the permitting of golf carts with certain restrictions as to use, upon the city streets, so long as said use does not conflict with state traffic laws,

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LONGTON DOES ORDAIN:

Section 1: Unless expressly continued by specific provisions of this Ordinance, all ordinances of the City of Longton enacted prior to the date of passage of this Ordinance which are inconsistent herewith, are hereby repealed, effective at the effective date of this Ordinance.

Section 2: "Work-site utility vehicle" (WSUV) 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 fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-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.

Section 3: "All-terrain vehicle" (ATV) means any motorized nonhighway vehicle 48 inches or less in width, having a dry weight of 1,000 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-pressured tire means any pneumatic 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 4: "Golf cart" means a self-propelled vehicle designed to transport a person or persons, designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour. The golf cart shall be equipped with adequate brakes, a slow moving vehicle sign as required by K.S.A.8-1717 (g), and bicycle safety flag.

Section 5: No person 16 years of age or older may operate an ATV, golf cart, or WSUV on any road, street, or alley within the city unless the person possesses a valid motor vehicle operator's license, as provided by Kansas law, or comparable state law, if a non-resident of the state of Kansas.

Section 6: No person under the age of 16 may operate an ATV, WSUV or golf cart on any public sidewalk, road, street or alley within the City.

Section 7: There shall be no more than the approved number of occupants per vehicle design riding the ATV, WSUV or golf cart.

Section 8: Every ATV and WSUV operated under this ordinance shall be maintained, equipped and operated with appropriate safety and operational equipment as designed by the manufacturer and as required by Article 17 of chapter 8 of the Kansas Statutes Annotated.

Section 9: To the fullest extent practicable, the traffic laws of the City of Longton are hereby made applicable to the operation of ATV's, WSUV's and golf carts under this ordinance on any public sidewalk, road, street or alley of the City.

Section 10: Headlights, if equipped on the ATV, WSUV, or golf cart must be turned on. If driving at night, the ATV, WSUV, or golf cart must be equipped with headlight and taillights, and must be turned on. Golf carts, if driven at night, are required to comply with the provisions of K.S.A. 8-1718, requiring turn signals and brake lights.

Section 11: Any person convicted of a violation of any of the above regulations is guilty of a misdemeanor and shall be fined a minimum of \$50.00 and a maximum fine of \$500.00.


Section 12: In addition to any juvenile culpability which may be imposed due to violations of this ordinance, the responsibility for complying with the provisions of this ordinance shall rest upon the adult owner or custodian of any ATV, golf cart, or WSUV or the head of household where any ATV, golf cart, or WSUV is kept, whether or not ownership of the ATV, golf cart, or WSUV is claimed by any other person residing in said household. A husband or wife, or two (2) or more adults living together, may jointly or separately be charged as heads of the household where an ATV, golf cart, or WSUV is kept.

Section 13: If the true owner of an ATV, golf cart, or WSUV is of such minor age as to prohibit the minor from being required to answer in court, the parent or guardian of such minor may be required to appear and assume full responsibility for the actions or omissions of the minor. The age of the minor is no defense to a violation of the provisions of this chapter, and the parent, guardian, owner/custodian of the ATV, golf cart, or WSUV or head of the household where the vehicle is kept may be held responsible for the actions or omissions of a minor's violation of this ordinance.


Section 14: in the event any portion of this ordinance is found to be unenforceable, the remaining portions shall be given full force and effect.

Section 15: This ordinance shall be effective upon its publication in the Flint Hills Express.

PASSED BY THE GOVERNING BODY OF LONGTON, KANSAS ON THE 14<sup>TH</sup> DAY OF AUGUST, 2007.

  
Stephen H. Fielder, Mayor

ATTEST:

  
Lotus McDow, city clerk

