

Ordinance Summary published in the Leoti Standard newspaper on September 16th, 2015 and the full text of this Ordinance made available at www.leotikansas.org for a minimum of one week from the date of publication.

ORDINANCE 2015-08 SUMMARY

Notice is hereby given that the Governing Body of Leoti, Kansas, did, on September 8, 2015, pass and adopt Ordinance 2015-08, AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEOTI, KANSAS; INCORPORATING BY REFERENCE THE *STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES*, EDITION OF 2015, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE 2014-19. A complete text of the Ordinance may be obtained, or viewed free of charge, at the Office of the Leoti City Clerk. Additionally, the full text of the Ordinance may be viewed on the City's official website www.leotikansas.org for a minimum of one week following the date of this publication. Leoti City Attorney Doug Crotty certifies this summary pursuant to K.S.A. 12-3001, *et seq.*

ORDINANCE 2015-08

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEOTI, KANSAS; INCORPORATING BY REFERENCE THE *2015 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES AS MODIFIED BY THE CITY OF LEOTI, KANSAS*, WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE 2014-19.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF LEOTI, KANSAS, AS FOLLOWS:

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Leoti, Kansas, that certain standard traffic ordinance known as the *2015 Standard Traffic Ordinance for Kansas Cities as modified by the City of Leoti, Kansas* for Kansas Cities, Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. One copy of said *2015 Standard Traffic Ordinance for Kansas Cities as modified by the City of Leoti, Kansas* shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2015-08," 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 ordinance, and filed with the city clerk to be open to 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 such *Standard Traffic Ordinance* similarly marked, as may be deemed expedient.

SECTION 2. Traffic Infractions and Traffic Offenses.

- (a) An Ordinance traffic infraction is a violation of any section of this Ordinance 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. 8-2118.
- (b) All traffic violations which are included within this Ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION 3. 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 forty-five dollars (\$45) nor more than five hundred dollars (\$500). A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense in which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed five hundred dollars (\$500).

Fine Schedule of Traffic Infractions and Traffic Offenses			
S.T.O. Section	Description of Offense	Statute	Court Established Fine Schedule
12	Disobeying traffic control device	8-1507	\$100.00
13	Violating traffic control signal	8-1508	\$100.00
14	Violating pedestrian control signals	8-1509	\$100.00
15	Violating flashing traffic signals	8-1510	\$100.00
16	Violating lane-control signal	8-1511	\$100.00
17	Unauthorized sign, signal, marking or device	8-1512	\$75.00
26.1	Failure to Remove Vehicles in Accidents	8-15, 107	\$45.00
30.2	Refusal to submit to a preliminary breath test	8-1012	\$200.00
32	Unsafe Speed for prevailing conditions	8-1557	\$100.00
33	Exceeding maximum speed limit; or speeding in posted zone	8-1558 to	
	1 – 10 \$45.00	8-1560	
	11 – 20 \$45.00 plus \$6 per mph over 10 mph over the limit		
	21 – 30 \$105.00 plus \$9 per mph over 20 mph over the limit		
	31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit		
34	Impeding normal traffic by slow speed	8-1561	\$75.00
35	Speeding on motor-driven cycle	8-1562	\$75.00
38	Driving on left side of roadway	8-1514	\$100.00
39	Failure to keep right to pass oncoming vehicle	8-1515	\$100.00
40	Improper passing, increasing speed when passed	8-1516	\$100.00
41	Improper passing on right	8-1517	\$150.00
42	Passing on left with insufficient clearance	8-1518	\$100.00
43	Driving on left side where curve, grade, intersection railroad crossing, or obstructed view	8-1519	\$100.00
44	Driving on left in no-passing zone	8-1520	\$200.00
45	Driving wrong direction on one-way road	8-1521	\$200.00
46	Improper driving on laned roadway	8-1522	\$100.00
47	Following too close	8-1523	\$100.00
48	Improper crossover on divided highway	8-1524	\$100.00
49	Improper turn or approach	8-1545	\$100.00
51	Improper “U” turn	8-1546	\$100.00
53	Unsafe starting of stopped vehicle	8-1547	\$100.00
54	Unsafe turning or stopping, failure to give proper signal, using turn signal unlawfully	8-1548	\$100.00
55	Improper method of giving notice of intention to turn	8-1549	\$100.00
56	Improper hand signal	8-1550	\$75.00
57	Failure to yield right-of-way at uncontrolled intersection	8-1526	\$100.00
58	Failure to yield to approaching vehicle when turning left	8-1527	\$100.00
59	Failure to yield at stop or yield sign	8-1528	\$100.00

60	Failure to yield from private road or driveway	8-1529	\$100.00
61	Failure to yield to emergency vehicle	8-1530	\$250.00
S.T.O. Section	Description of Offense	Statute	Court Established Fine Schedule
62	Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$150.00
62	Failure to comply with restriction in road construction zone	8-1531	\$150.00
63	Disobeying pedestrian traffic control device	8-1532	\$100.00
64	Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$150.00
64.1	School crossing guard; disobeying	8-15, 103	\$250.00
65	Improper pedestrian crossing	8-1534	\$100.00
66	Failure to exercise due care in regard to pedestrian	8-1535	\$100.00
67	Improper pedestrian movement in crosswalk	8-1536	\$100.00
68	Improper use of roadway by pedestrian	8-1537	\$75.00
69	Soliciting ride or business on roadway	8-1538	\$75.00
70	Driving through safety zone	8-1539	\$100.00
71	Failure to yield to pedestrian on sidewalk	8-1540	\$100.00
72	Failure of pedestrian to yield to emergency vehicle	8-1541	\$100.00
73	Failure to yield to blind pedestrian	8-1542	\$100.00
75	Pedestrian disobeying bridge or railroad signal	8-1544	\$100.00
76	Failure to stop or obey railroad crossing signal	8-1551	\$250.00
77	Failure to stop at railroad crossing stop sign	8-1552	\$300.00
78	Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$250.00
79	Improper moving heavy equipment at railroad crossing	8-1554	\$150.00
80	Vehicle emerging from alley, private roadway, building or driveway	8-1555	\$100.00
81	Improper passing of school bus; improper use of school bus signals	8-1556	\$500.00
82	Improper passing of church or day-care bus; improper use of signals	8-1556a	\$250.00
83	Improper stopping, standing or parking on roadway	8-1569	\$100.00
85	Parking, standing or stopping in prohibited area	8-1571	\$100.00
86	Improper parking	8-1572	\$75.00
107	Unattended vehicle	8-1573	\$75.00
108	Driving with view or driving mechanism obstructed	8-1576	\$100.00
109	Coasting	8-1580	\$75.00
110	Following fire apparatus too closely	8-1581	\$100.00
111	Driving over fire hose	8-1582	\$100.00
112	Putting glass, etc. on highway	8-1583	\$250.00
113	Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$75.00
114	Improper operation of snowmobile on highway	8-1585	\$75.00
114.1	Unlawful operation of all-terrain vehicle	8-15,100	\$100.00
114.2	Unlawful operation of micro utility truck	8-15,106	\$100.00
114.3	Unlawful operation of low-speed vehicle	8-15,101	\$75.00
114.4	Unlawful operation of golf cart	8-15,108	\$75.00
114.5	Unlawful operation of work-site utility vehicle	8-15,109	\$75.00

116	Driving on sidewalk	8-1575	\$150.00
117	Improper backing	8-1574	\$100.00
S.T.O. Section	Description of Offense	Statute	Court Established Fine Schedule
123	Unsafe opening of vehicle door	8-1577	\$75.00
124	Riding in house trailer	8-1578	\$75.00
126.1	Unlawful obstructing of license plate	8-15, 110	\$75.00
126.2	Unlawful use of wireless communication devices	8-15, 111	
	126.2 First Offense		\$100.00
	126.2 Second Offense		\$200.00
	126.2 Third Offense		\$300.00
127	Parental responsibility of child riding bicycle	8-1586	\$75.00
129	Not riding on bicycle seat; too many persons on bicycle	8-1588	\$75.00
130	Clinging to other vehicle	8-1589	\$100.00
131	Improper riding of bicycle on roadway	8-1590	\$100.00
132	Carrying articles on bicycle; one hand on handlebars	8-1591	\$75.00
133	Improper bicycle lamps; brakes or reflectors	8-1592	\$75.00
138	Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$100.00
139	Improper operation of motorcycle on laned roadway	8-1595	\$100.00
140	Motorcycle clinging to other vehicle	8-1596	\$100.00
141	Improper motorcycle handlebars or passenger equipment	8-1597	\$100.00
142	Motorcycle helmet and eye-protection requirements	8-1598	\$75.00
143	Equipment offenses that are not misdemeanors	8-1701	\$100.00
144	Driving without lights when needed	8-1703	\$100.00
146	Defective headlamps	8-1705	\$75.00
147	Defective tail lamp	8-1706	\$75.00
148	Defective reflector	8-1707	\$75.00
149	Improper stop lamp or turn signal	8-1708	\$75.00
151	Improper lighting equipment on certain vehicles	8-1710	\$75.00
152	Improper lamp color on certain vehicles	8-1711	\$75.00
153	Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$75.00
154	Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$75.00
156	No lamps or flag on projecting load	8-1715	\$150.00
157	Improper lamps on parked vehicles	8-1716	\$75.00
158	Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$100.00
159	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$75.00
160	Improper lamps or lights on emergency vehicle	8-1720	\$75.00
161	Improper stop or turn signal	8-1721	\$100.00
162	Improper vehicular hazard warning lamp	8-1722	\$100.00
163	Unauthorized additional lighting equipment	8-1723	\$75.00
164	Improper multiple-beam lights	8-1724	\$100.00
165	Failure to dim headlights	8-1725	\$150.00
166	Improper single-beam headlights	8-1726	\$100.00
167	Improper speed with alternate lighting	8-1727	\$75.00

168	Improper number of driving lamps	8-1728	\$75.00
169	Unauthorized lights and signals	8-1729	\$75.00
S.T.O. Section	Description of Offense	Statute	Court Established Fine Schedule
170	Improper school bus lighting equipment and warning devices	8-1730	\$75.00
171	Unauthorized lights and devices on church or day-care bus	8-1730a	\$75.00
172	Improper lights on highway construction or maintenance vehicles	8-1731	\$100.00
173	Defective brakes	8-1734	\$100.00
174	Defective or improper use of horn or warning device	8-1738	\$75.00
175	Defective Muffler	8-1739	\$75.00
176	Defective Mirror	8-1740	\$75.00
177	Defective wipers; obstructed windshield or windows	8-1741	\$75.00
178	Improper tires	8-1742	\$75.00
178.1	Improper wide-based single tires	8-1742b	\$75.00
182.2	Unlawful riding on vehicles; persons under age 14	8-1578a	\$75.00
183	Defective motorcycle headlamps	8-1801	\$75.00
184	Defective motorcycle tail lamp	8-1802	\$75.00
185	Defective motorcycle reflector	8-1803	\$75.00
186	Defective motorcycle stop lamps and turn signals	8-1804	\$75.00
187	Defective multiple-beam lighting	8-1805	\$75.00
188	Improper road-lighting equipment on motor-driven cycles	8-1806	\$75.00
189	Defective motorcycle or motor-driven brakes	8-1807	\$75.00
190	Improper performance ability of brakes	8-1808	\$75.00
191	Defective horn, muffler, mirrors or tires	8-1810	\$75.00
206	Careless Driving Prohibited	Local Offense	\$200.00
207	Prohibited exhibition of speed or acceleration	Local Offense	\$300.00

SECTION 4. Exclusion From Prosecution. As it relates to sec 114, 114.1, 114.2, 114.3, 114.4, and 114.5 of the *2015 Standard Traffic Ordinance for Kansas Cities as modified by the City of Leoti, Kansas*, The Governing Body of the City of Leoti, Kansas, hereby grants an exception for (1) the City of Leoti, Kansas; (2) the County of Wichita, Kansas; (3) Unified School District 467; (4) the State of Kansas; (5) public telephone, gas, electric, or other utilities authorized to do business in the City of Leoti, Kansas, only if having a current franchise agreement in place with the City of Leoti; (6) Archer Daniels Midland company, Leoti, Kansas; (7) Crop Production Services, Leoti, Kansas; and (8) persons contracting with one or more of the entities listed hereinabove may be allowed to operate snowmobiles, all-terrain vehicles, micro utility trucks, low-speed vehicles, golf carts, and work-site utility vehicles within the corporate limits of the City of Leoti, Kansas, when used in the course of such entity's governmental or legitimate business functions. No vehicle authorized in Section 4 shall be operated on public highway, street, road or alley within the corporate limits of the City of Leoti, Kansas, between sunset and sunrise unless equipped with lights as required by law.

SECTION 5. Careless Driving Prohibited. Section 206 of said *2015 Standard Traffic Ordinance for Kansas Cities as modified by the City of Leoti, Kansas* is hereby enacted and created to read as follows:

Sec. 206. Careless Driving Prohibited. No person shall operate, or halt any vehicle in such a manner as to indicate or display a careless, negligent, thoughtless or inconsiderate disregard for the rights or safety of others; or operate or halt any vehicle in such a manner as to endanger or be likely to endanger any person or property. Violations of this section shall be a traffic offense.

SECTION 6. Exhibition Of Speed Or Acceleration Prohibited. Section 207 of said *2015 Standard Traffic Ordinance for Kansas Cities as modified by the City of Leoti, Kansas* is hereby enacted and created to read as follows:

Sec. 207. Exhibition Of Speed Or Acceleration Shall Be Prohibited. It shall be unlawful for any person to demonstrate an exhibition of speed or acceleration, which shall be defined to include, but not be limited to, those acts which cause or create unnecessary rapid acceleration, unnecessary tire squeal, skid, smoke, or slide upon acceleration or stopping, including the casting of tread, gravel, dirt or other road surface materials from the tires; acts that simulate a temporary race; and acts that cause the vehicle to unnecessarily turn abruptly, sway or lose traction with the road surface. Violations of this section shall be a traffic offense.

SECTION 7. Repeal of Ordinance 2014-19. Ordinance 2014-19, AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEOTI, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2014, WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE 2011-09, originally passed and adopted September 2nd, 2014, is hereby repealed in its entirety.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Governing Body of the City and its summary publication in the official City Newspaper, the *Leoti Standard*.

PASSED AND ADOPTED, BY THE GOVERNING BODY OF THE CITY OF LEOTI, KANSAS, on September 8, 2015.

ATTEST:

Cheryl Green, Mayor

Ashley Woods, City Clerk

[APPROVED AS TO FORM OF "COURT ESTABLISHED FINE SCHEDULE" ONLY]

Janna DeLissa, Municipal Court Judge

First Reading: Sept. 8th, 2015

Passed: Sept. 8th, 2015

Published: Sept. 16th, 2015