

**ORDINANCE NO. 1119**

**AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES OR UTILITY TASK VEHICLES, OR GOLF CARTS ON THE STREETS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF LOUISBURG; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; BY ADDING CHAPTER XIV, ARTICLE 5a, OF THE CODE OF THE CITY OF LOUISBURG; AND REPEALING PORTIONS OF SUBSECTIONS IN CHAPTER XIV, ARTICLE 5.**

WHEREAS, the City of Louisburg, Kansas has adopted the current version of the “Standard Traffic Ordinance for Kansas Cities” as published by the League of Kansas Municipalities; and

WHEREAS, said Standard Traffic Ordinance prohibits the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets; and

WHEREAS, the City of Louisburg wishes to specifically allow the operation of work-site utility vehicles, utility task vehicles and golf carts on city streets under certain conditions;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOUISBURG, KANSAS:

**Section 1.** Article 5a of Chapter XIV of the Code of the City of Louisburg is hereby added as follows:

**ARTICLE 5a. SPECIAL PURPOSE VEHICLES**

**14-5a01. Definitions.**

As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(a) “Work-Site Utility Vehicle or Utility Task Vehicle” means any vehicle designed for off-highway use which has: a width no less than 48 inches; an overall length, including the bumper, of not more than 160 inches; four or more wheels; low-pressure tires; side by side seating; a steering wheel; non-straddle seating; manufacturer provided foot controls for throttle and braking, excluding any modifications for use by handicapped persons; occupant restraints; and, rollover protective structures, excluding lower speed work-site vehicles which may have been manufactured without such rollover protection.

(b) “Golf Cart” means a motor vehicle that has not less than three (3) wheels in contact with the ground, an unladen weight of not more than one thousand eight hundred (1,800)

pounds, is designed to be operated at not more than twenty-five (25) miles per hour and is designed to carry not more than six persons, including the driver.

14-5a02. Operation of a WSUV or UTV in City Limits.

(a) It shall be unlawful for any person to operate, or for the owner thereof knowingly to permit the operation, any WSUV or UTV, upon any street or alley within the City limits of Louisburg, Kansas or upon any City owned or leased property within or without the City limits of the City of Louisburg, Kansas, except as provided for in this article.

(b) A WSUV or UTV, may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city as provided:

(1) No WSUV or UTV may be operated upon Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of 45 miles per hour, however, that the provisions of this subsection shall not prohibit a WSUV or UTV from crossing any public highway, street, road or alley unless otherwise prohibited by state law.

(2) No WSUV or UTV shall be operated upon any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights and reflectors as required for motor vehicles under Article 17 of Chapter 8 of the Kansas Statutes Annotated (K.S.A.), and amendments thereto.

(c) In addition to any equipment required by 49 CFR 571.500, or by this ordinance, a WSUV or UTV operating upon any public highway, street, road or alley shall be equipped with at least one rear view mirror and one side mirror.

(1) A Type 1 or Type 2 seat belt assembly, as required by 49 CFR 571.500, shall not be required for any vehicle not previously equipped with one.

(d) A WSUV or UTV capable of speeds in excess of 25 mph is defined by the State of Kansas as a Motor Vehicle and is required to meet equipment and operating standards of Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto.

(e) All WSUV or UTV shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.

(f) Every person operating a WSUV or UTV 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.

(g) No person shall operate a WSUV or UTV on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid, unrestricted driver's license. Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(h) Every owner of a WSUV or UTV, before operating said vehicle on the public highways, streets, roads or alleys within the corporate limits of the City of Louisburg, shall register said vehicle with the Louisburg Police Department and obtain a license plate. The license plate issued by the City shall be valid through December 31 for the year for which it is issued and be permanently affixed to the vehicle's left-rear quarter panel.

(1) Before the City will issue any annual registration license for a WSUV or UTV, the owner of said vehicle must provide:

(A) Current valid, unrestricted driver's license.

(B) Proof of liability insurance, as required of any motor vehicle within the State of Kansas, specifically listing the WSUV or UTV.

(C) Payment of the initial registration fee of one hundred dollars (\$100) or the annual license renewal fee of fifty dollars (\$50).

(2) There will be a charge of \$100 for replacing a lost or destroyed license plate.

(i) It shall be illegal for any person to operate a WSUV or UTV on any public highway, street, road or alley with more passengers than the WSUV or UTV is designed to seat, and all persons are required to wear seatbelts.

(j) 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 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

#### 14-5a03. 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 Kansas Highway-68/Amity Street or any public highway, street, road and alley with a posted speed limit in excess of twenty-five (25) 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 twenty-five (25) 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 has a valid, unrestricted driver's license.

Violation of this Subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

(e) 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.

(f) 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 of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

(g) It shall be illegal to operate a golf cart 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 2.** Existing Subsections Repealed. Any portion of other subsections of the Code of the City of Louisburg that is in direct conflict with the allowances stated herein shall be repealed, but shall not invalidate the remaining portions of those other subsections.

**Section 3.** Effective Date. This ordinance shall take effect and be in force upon publication in the official City newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Louisburg, Kansas, on May 18, 2020.

**APPROVED AND SIGNED** by the Mayor.

---

MARTY SOUTHARD, Mayor

ATTEST:

---

TRACI STOREY, City Clerk