

ORDINANCE NO. 5745

AN ORDINANCE AMENDING THE LENEXA CITY CODE SECTION 114.2 OF THE 2017 EDITION OF THE STANDARD TRAFFIC ORDINANCE AS INCORPORATED BY REFERENCE IN SECTION 3-8-A-1, AND REPEALING EXISTING SECTION 114.2.

WHEREAS, the City of Lenexa ("City") adopts the Standard Traffic Ordinance by incorporating it by reference into the Lenexa City Code; and

WHEREAS, the City desires to amend Section 114.2 of the Standard Traffic Ordinance to allow and regulate the operation of work-site utility vehicles, golf carts and micro utility trucks on residential streets.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LENEXA, JOHNSON COUNTY, KANSAS:

Section 1: Section 114.2 of the Standard Traffic Ordinance incorporated by reference in Section 3-8-A-1 of the City Code, is hereby amended to read as follows:

Section 114.2: Unlawful Operation of Work-Site Utility Vehicle, Golf Cart or Micro Utility Truck.

- a. No work-site utility vehicle, golf cart, or micro utility truck shall be operated on any public highway, street, or road unless:
 1. The speed limit on such road is 25 miles per hour or less;
 2. The work-site utility vehicle, golf cart, or micro utility truck is equipped with lights as required by state and local law for motorcycles except that electric turn signals and multiple-beam road lighting equipment shall not be required;
 3. The operator of the work-site utility vehicle, golf cart, or micro utility truck has a valid driver's license; and
 4. The owner must maintain insurance for the work-site utility vehicle, golf cart, or micro utility truck in the same amounts set forth for motor vehicles in section (e) of K.S.A. 40-3107.
- b. Work-site utility vehicles, golf carts, and micro utility trucks shall not be operated in a careless, reckless, or negligent manner.
- c. It shall be unlawful for any person to operate a work-site utility vehicle, golf cart, or micro utility truck:
 1. On any interstate highway, federal highway, or state highway, unless engaged in agricultural purposes and pursuant to the conditions listed in K.S.A. 8-15,100 and K.S.A. 8-15,109; or
 2. on any sidewalk, jogging path, trail, or any location normally used for pedestrian traffic.

- d. The number of occupants allowed on a work-site utility vehicle, golf cart, or micro utility truck shall be limited to the number of seats factory installed. Bench seats shall be limited to three (3) people.
- e. The provisions of this section shall not prohibit a work-site utility vehicle, golf cart or micro utility truck from crossing a federal or state highway or a public highway, street, or road with a posted speed limit greater than 25 miles per hour.
- f. The provisions of this section shall not prohibit the operation of any authorized work-site utility vehicle, golf cart or micro utility truck in the course of authorized duties within the city by a fire department, law enforcement agency, parks department, public works or municipal services department. The operation of a work-site utility vehicle, golf cart or micro utility truck is authorized within the city on private property with the consent of the property owner.

Section 2: Penalty: Any violation of the above provisions shall be punishable in accordance with Section 1-1-C-3, unless otherwise specifically set out.

Section 3: Interpretation: this Ordinance shall be construed as follows:

A. Liberal Construction: The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. Savings Clause: The repeal of Ordinance or Code sections, as provided herein below shall not affect any rights acquired, fines, penalties, forfeitures, or liabilities therefore. Said Ordinance or Code repealed is hereby continued in force and effect after the passage, approval, and publication of the Ordinance for the purposes of such rights, fines, penalties, forfeitures, liabilities, and actions therefore.

C. Invalidity: If for any reason any chapter, article, section, subsection, sentence, portion or part of the proposed Ordinance set out, or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Code or other ordinances.

Section 4: That the existing Section 114.2 of the 2017 edition of the Standard Traffic Ordinance as incorporated by reference in Section 3-8-A-1 is hereby repealed.

Section 5: That this Ordinance shall become effective upon passage and publication of the ordinance summary in the official City newspaper as provided by State law.

PASSED BY the City Council this 6th day of August, 2019.

SIGNED BY the Mayor this 6h day of August, 2019.

CITY OF LENEXA, KANSAS





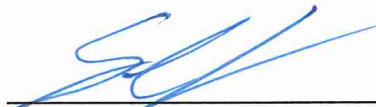
Michael A. Boehm, Mayor

ATTEST:



Jennifer Martin, City Clerk

APPROVED AS TO FORM:



Sean McLaughlin, Assistant City Attorney