

ORDINANCE NO. 1795

AN ORDINANCE AUTHORIZING OPERATION OF REGISTERED WORK-SITE UTILITY VEHICLES, REGISTERED MICRO UTILITY TRUCKS AND REGISTERED ALL TERRAIN VEHICLES ON THE STREETS OF RUSSELL, KANSAS, AND PROVIDING FOR THE REGISTRATION PROCEDURE AND PENALTIES FOR VIOLATION OF THE SAME AND REPEALING ORDINANCE NO. 1783

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RUSSELL, KANSAS, that the Code of the City of Russell is hereby amended by adding the following Article 4 to Chapter XVII, which reads as follows:

Article 4. Work-Site Utility Vehicles, Micro Utility Trucks and All-Terrain Vehicles

SECTION 17-401. Definitions. The words and phrases "All-Terrain Vehicle", "Work-Site Utility Vehicle", "Micro Utility Truck", "Street or Highway", and "Owner" shall have the meaning prescribed to such word or phrase in Article 1 to the "Standard Traffic Ordinance for Kansas Cities" as prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, as adopted by the governing body.

SECTION 17-402. Operation of Work-Site Utility Vehicles (WUV) and Micro Utility Truck (MUT).

- A. Subject to compliance with all other ordinances of the City of Russell concerning WUV and MUT operations, a WUV and a MUT may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city, but only after being properly registered as provided hereinbelow and only if such owner or operator of the WUV or MUT has provided motor vehicle liability insurance coverage on such vehicle as required for a motor vehicle in accordance with the Kansas Automobile Injury Reparation Act, K.S.A. 40-3101 et. seq. For purposes of this Article, neither a WUV or MUT shall be exempt from the Kansas Automobile Injury Reparation Act.
- B. No WUV or MUT shall be operated on any public highway, street, road or alley unless such vehicle complies with the equipment requirements under the provisions of Article 17, Chapter 8 of Kansas Statutes Annotated.

SECTION 17-403. Operation of All-Terrain Vehicle (ATV). Subject to compliance with all other ordinances of the City of Russell concerning ATV operations, an ATV may be operated only between sunrise and sunset upon the public highways, streets, roads and alleys within the corporate limits of the city, and only after being properly registered as provided hereinbelow. Notwithstanding the provisions of this Section 17-403, an ATV may be operated at anytime by law enforcement for law enforcement purposes or when used in a parade authorized by the City governing body.

SECTION 17-404. Registration of Work-Site Utility Vehicles, Micro Utility Trucks and All-Terrain Vehicles. Except for use in a parade authorized by the Governing Body of the City of Russell, every owner of a WUV, MUT and an ATV intended to be operated on a street or highway in the City of Russell, Kansas, whether such owner is a resident of the City or not, shall before such WUV, MUT or ATV is operated on such street or highway, register such vehicle through the office of the Russell Police Department on such forms as furnished by the Russell Police Department. The application shall contain the name of the owner, the owner's residential address, a brief description of the vehicle to be registered, insurance information on the vehicle, and such other information as may be required by the department. The application shall be signed by the owner, owner's spouse or owner's parent. The department shall furnish to every owner whose vehicle is registered a registration plate which shall be displayed prominently on

the rear of the vehicle before its operation in the City. A registration fee of \$25.00 per vehicle shall be charged.

SECTION 17-405. Expiration of Registration. Upon the transfer of ownership of any WUV, MUT or ATV registered under this ordinance, the registration of the vehicle and the right to use the registration plate thereon shall expire and the registration plate shall be removed from the vehicle.

SECTION 17-406. Valid Driver's License Required; Penalty. No person shall operate a WUV, MUT or ATV on any public highway, street, road or alley within the corporate limits of the City unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six (6) months or by both such fine and imprisonment.

SECTION 17-407. Unlawful Acts. Except for violation of Section 17-406 for which a penalty is stated therein, violation of any part of this Article shall be an ordinance traffic infraction. Upon entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).

SECTION 17-408. Ordinance No. 1783 is hereby repealed.

This Ordinance shall become in full force and effect from and after its adoption and publication as provided by law.

PASSED by the Governing Body of the City Of Russell, Kansas, this 16th day of September, 2008.

APPROVED by the Mayor of the City of Russell, Kansas, this 16th day of September, 2008.

CITY OF RUSSELL

BY: \_\_\_\_\_  
Carol A. Dawson, Mayor

ATTEST:

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Karen D. Gates, City Clerk

(SEAL)